TMH:jlb 04/03/01 4810-58741 44142

EXPRESS MAIL LABEL NO. EL754020444US
DATE OF DEPOSIT: April 3, 2001

FORM PTO-1390 U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		4810-58741
		U S APPLICATION NO (If known, see 37 C F R § 1 5) 09/806708
INTERNATIONAL APPLICATION NO. PCT/CA00/00907	INTERNATIONAL FILING DATE 4 August 2000	PRIORITY DATE CLAIMED 4 August 1999

TITLE OF INVENTION
REGULATION OF EMBRYONIC TRANSCRIPTION IN PLANTS

APPLICANT(S) FOR DO/EO/US
Ljerka Kunst, Sabine Clemens

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U S.C. § 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U S.C. § 371.
3. ☐ This is an express request to begin national examination procedures (35 U S.C. § 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U S.C § 371(c)(2))
   a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☒ has been transmitted by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
   a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
   b ☐ have been transmitted by the International Bureau.
   c. ☐ have not been made, however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S C § 371(c)(3)).
9. ☒ A Combined Declaration and Power of Attorney (signed).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S C. § 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C F.R §§ 1 97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F R §§ 3.28 and 3.31 and the Recordal fee of $40.00 is included.
13. ☒ A **FIRST** preliminary amendment.
    ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
    ☒ Copy of the international application as published.
    ☒ Separate copy of figures with labels (15 pages).
    ☒ Sequence Listing (13 pages).
    ☒ Computer Readable Form of Sequence Listing.
    ☒ Statement in compliance with 37 C F R § 1 821(f)

24197

TMH:jlb 04/03/01 4810-58741 44142

JC02 Rec'd PCT/PTO 0 3 APR 2001

EXPRESS MAIL LABEL NO. EL754020444US
DATE OF DEPOSIT: April 3, 2001

U.S. APPLICATION NO (If known, see 37 C.F.R. § 1.5)	INTERNATIONAL APPLICATION NO	ATTORNEY'S DOCKET NUMBER
09/806708	PCT/CA00/00907	4810-58741

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):

Neither International Preliminary Examination fee (37 C.F.R. § 1.482) nor International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **$1,000.00**

International Preliminary Examination fee (37 C F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... **$860.00**

International Preliminary Examination fee (37 C.F R. § 1.482) not paid to USPTO but International Search fee (37 C F.R § 1.445(a)(2)) paid to USPTO **$710.00**

International Preliminary Examination fee paid to USPTO (37 C F.R § 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... **$690.00**

International Preliminary Examination fee paid to USPTO (37 C F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **$100.00**

CALCULATIONS (PTO USE ONLY)

ENTER APPROPRIATE BASIC FEE AMOUNT =				$	1,000.00
Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C F R § 1.492(e)).				$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x $18.00	$	0.00
Independent Claims	2 - 3 =	0	x $80.00	$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $270.00	$	0.00
TOTAL OF ABOVE CALCULATIONS =				$	1,000.00
☒ Reduction of 1/2 for filing by small entity. Small entity status is claimed for this application.				$	500.00
SUBTOTAL =				$	500.00
Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 Months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)). +				$	
TOTAL NATIONAL FEE =				$	500.00
Fee for recording the enclosed assignment (37 C.F R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F R. §§ 3.28. 3.31). **$40.00** per property. +				$	
TOTAL FEES ENCLOSED =				$	500.00
				REFUND →	$
				CHARGE →	$

a. ☒ A check in the amount of $500.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.

d. ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, OR 97204-2988

SIGNATURE

Tanya M. Harding, Ph.D.
NAME

42,630
REGISTRATION NUMBER

cc: Docketing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kunst and Clemens

Art Unit: Not yet assigned

Application No. 09/806,708

Filed: April 3, 2001

For: REGULATION OF EMBRYONIC TRANSCRIPTION IN PLANTS

Examiner: Not yet assigned

Date: May 31, 2001

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 31, 2001 as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

Tanya M. Harding, Ph D.
Attorney for Applicant

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SECOND PRELIMINARY AMENDMENT

Please amend the application as follows.

AMENDMENT

In the Claims:

1. (amended) A recombinant nucleic acid molecule comprising a heterologous promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence comprises a transcriptional regulatory region capable of mediating seed-specific expression in *Arabidopsis* wherein the transcriptional regulatory region hybridizes under stringent conditions to a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.

Please cancel claims 2, 3, 4, 5, and 6.

7. (twice amended) The recombinant nucleic acid molecule of claim 1, wherein the promoter sequence is at least 70% identical to a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.

Please cancel claims 8, 9, 10, 11, and 12.

13. (amended) The recombinant nucleic acid molecule of claim 1, wherein the nucleic acid sequence encodes an enzyme involved in lipid metabolism.

Please cancel claim 14.

15. (amended) A plant cell comprising a heterologous nucleic acid sequence, wherein the heterologous nucleic acid sequence comprises the recombinant nucleic acid molecule of claim 1.

16. (amended) The plant cell of claim 15, wherein the plant cell is of a dicotyledonous plant species.

17. (amended) A transgenic plant comprising a heterologous nucleic acid sequence, wherein the heterologous nucleic acid sequence comprises the recombinant nucleic acid molecule of claim 1.

18. (amended) The transgenic plant of claim 17, wherein the plant is of a dicotyledonous plant species.

19. (amended) A method of altering the phenotype of a seed comprising:

a) transforming a seed-bearing plant, or a progenitor of the seed-bearing plant, with a vector comprising the nucleic acid molecule of claim 1;

b) growing the seed-bearing plant to obtain seed under conditions wherein the nucleic acid sequence is expressed during embryogenesis under the control of the transcriptional regulatory region to alter the phenotype of the seed.

20. (amended) A method of producing a transgenic plant comprising introducing into the plant the recombinant nucleic acid molecule of claim 1.

21. (new) A plant produced by sexual or asexual propagation of the transgenic plant produced according to the method of claim 20, or by propagation of progeny of the transgenic plant, wherein the plant comprises the recombinant nucleic acid molecule.

22. (new) The recombinant nucleic acid molecule of claim 1, wherein the promoter sequence is at least 80% identical with a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.

23. (new) A recombinant vector comprising a nucleic acid molecule according to claim 1.

24. (new) A method of isolating a nucleic acid molecule having promoter activity, comprising hybridizing under stringent conditions a nucleic acid preparation with a probe comprising a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.

25. (new) The recombinant nucleic acid molecule of claim 1, wherein the promoter sequence comprises a transcriptional regulatory region that hybridizes under stringent conditions to SEQ ID NO. 15 or the complement of SEQ ID NO. 15.

26. (new) The recombinant nucleic acid molecule of claim 1, wherein the promoter sequence comprises a transcriptional regulatory region that hybridizes under stringent conditions to SEQ ID NO. 16 or the complement of SEQ ID NO. 16.

27. (new) The recombinant nucleic acid molecule of claim 1, wherein the promoter sequence comprises a transcriptional regulatory region that hybridizes under stringent conditions to SEQ ID NO. 17 or the complement of SEQ ID NO. 17.

28. (new) The recombinant nucleic acid molecule of claim 1, wherein the promoter sequence comprises a transcriptional regulatory region that hybridizes under stringent conditions to SEQ ID NO. 18 or the complement of SEQ ID NO. 18.

REMARKS

By the present amendment, claims 1, 7, 13, and 15-20 are amended, claims 2-6, 8-12, and 14 are cancelled, and claims 21-28 are added. After entry of the amendment, claims 1, 7, 13, and 15-28 are pending in the application.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment.

No new matter has been added by this amendment. The amendments have been made for purposes of clarity and are in no way meant to limit the scope of any claim.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By _____
Tanya M. Harding, Ph.D.
Registration No. 42,630

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

Marked-up Version of Amended Claims
Pursuant to 37 C.F.R. §§ 1.121(b)-(c)

1. (amended) A recombinant nucleic acid molecule comprising a heterologous promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence comprises a transcriptional regulatory region capable of mediating seed-specific expression in *Arabidopsis* wherein the transcriptional regulatory region [:]
[(a)is obtainable from a 5' region of a plant *FAE1* gene; or]
[(b)]hybridizes under stringent conditions to a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.[the 5' region of the plant *FAE1* gene; or]
[(c) is at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene.]

7. (twice amended) The recombinant nucleic acid molecule of claim [6] 1, wherein the [transcriptional regulatory region] promoter sequence is at least 70% identical [when optimally aligned to the 5' region of the plant *FAE1* gene.] to a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.

13. (amended) The recombinant nucleic acid molecule of claim [12] 1 wherein the nucleic acid sequence encodes an enzyme involved in lipid metabolism.

15. (amended) A [host] plant cell comprising a heterologous nucleic acid sequence, wherein the heterologous nucleic acid sequence comprises the recombinant nucleic acid molecule of claim 1[through 14.].

16. (amended) The [host] plant cell of claim 15, wherein the [host] plant cell is of a dicotyledonous plant species.

17. (amended) A transgenic plant comprising a heterologous nucleic acid sequence, wherein the heterologous nucleic acid sequence comprises the recombinant nucleic acid molecule of claim 1[through 14.].

18. (amended) The transgenic plant of claim 17, wherein the plant is of a dicotyledonous plant species.

19. (amended) A method of altering the phenotype of a seed comprising:

a) transforming a seed-bearing plant, or a progenitor of the seed-bearing plant, with a vector comprising the nucleic acid molecule of claim 1; [through 14;]

b) growing the seed-bearing plant to obtain seed under conditions wherein the nucleic acid sequence is expressed during embryogenesis under the control of the transcriptional regulatory region to alter the phenotype of the seed.

20. (amended) A method of [transforming] producing a transgenic plant [cell] comprising [transforming] introducing into the plant [cell with] the recombinant nucleic acid molecule of claim 1 [through 14.].

Attorney Reference Number 4810-38741
Express Mail Label No. EL754020444US
Date of Deposit: April 3, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kunst and Clemens

Art Unit: *Not yet assigned*

Application No. *Not yet assigned*

Filed: Herewith

For: REGULATION OF EMBRYONIC TRANSCRIPTION IN PLANTS

Examiner: *Not yet assigned*

Date: April 3, 2001

Box PCT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

PRELIMINARY AMENDMENT

In the specification, please insert the following header and paragraph on page 1, immediately following the title:

-- CROSS-REFERENCE TO RELATED APPLICATIONS

This is the National Stage of International Application No. PCT/CA00/00907, filed August 4, 2000, and claims the benefit of U.S. Provisional Application No. 60/147,133, filed August 4, 1999. The provisional application is incorporated herein in its entirety. --

In the claims, prior to calculation of the fees, please enter the following amendments:

2. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

AGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA (SEQ ID NO: 15).

3. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC CTAGTTGTGT
AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA AATGACTAGG AGTGGTTCTT
GAGACCGATG AGAGATGGGA GCAGAACTAA AGATGATGAC ATAATTAAGA ACGAATTTGA
AAGGCTCTTA GGTTTGAATC CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG
AACCAAAGAA AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT
CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC CTGGCTGTGT
ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA ACTAAACTTC CACTCATTAT
TTACTGAGGT TAGAGAATAG ACTTGCGAAT AAACACATTC CCGAGAAATA CTCATGATCC
CATAATTAGT CAGAGGGTAT GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA
TGCACATGTA ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT
GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC
TATTTTGCTA TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC
ATGAGTTTGA GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA
GAGGATCCAT GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA
(SEQ ID NO: 16).

4. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

CTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT CTCCTCATAA
CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT TCTCTACATC GCAACCCGGC
CCAAACCGGT TTACCTCGTT GAGTACTCAT GCTACCTTCC ACCAACGCAT TGTAGATCAA
GTATCTCCAA GGTCATGGAT ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG
GCACGTGCGA TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG AAGACTTTTG
CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC GCTAGAAAAT CTATTCAAGA
ACACCAACGT TAACCCTAAA GATATAGGTA TACTTGTGGT GAACTCAAGC ATGTTTAATC
CAACTCCATC GCTCTCCGCG ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA
GCTTTAACCT TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG AACATCACTT
ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC AAATTGCTTG TTCCGTGTTG
GTGGGGCCGC TATTTTGCTC TCCAACAAGC CTGGAGATCG TAGACGGTCC AAGTACGAGC

TAGTTCACAC GGTTCGAACG CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC
AAGGAGACGA TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT CCGTTAAGCG
AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT TTTCAAAGAT AAAATCAAAC
ATTACTACGT CCCGGATTTC AAACTTGCTA TTGACCATTT TTGTATACAT GCCGGAGGCA
GAGCCGTGAT TGATGTGCTA GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT
CAAGATCAAC GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG
CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG ATTGCTTTAG
GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT AAACAATGTC AAAGCTTCGA
CAAATAGTCC TTGGGAACAC TGCATCGACA GATACCCGGT CAAAATTGAT TCTGATTCAG
GTAAGTCAGA GACTCGTGTC CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC
GTTTCTTTTT ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA
TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC TCTTATTTAC
ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG (SEQ ID NO: 17).

5. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

CAGCTTAAC CGGTAAAATT GGCCTGTACA
TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT TGTTACTCAA TTGGGCTAAG
TGTATTATTA TATGTGTTGT ATATAATAAA GGTAGAACGT AAATTTACTA AGAATGTGTT
TTTCCAATGT GATTGCTCTT TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT
TAATTTACTG GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG AACGCTTTTT
TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA AAAAGTTCTT AATATTTTCT
CTTTGTTTTA ATGGGTTTGT TTTGCATTTT ATAAGCTTAA TTTTTCTAAT TTAATATTTT
ATCTATCATC GTCCGTAAAG TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA
ATTTGGGAAC TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT CAATGCTAAC
AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT TCGGATCAGT ATTCTTAAAT
AAGAATATAA AACTAATTCA ATAGTTACAG ATAAAAACTT ATATAGACTT TTTTATTTGG
AATATAAAAG TATCAATATA TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT
ATTTTTTATA TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT CATCTGACTA
CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA ATACACATGT CTATATAAAT

GCATGTAAAA CGTAACGGAC CACAAAAGTG GATCCATACA AATACATCTC ATCGCACCCT CTCCGACACA AAACTGAACA (SEQ ID NO: 18).

7. (amended) The recombinant nucleic acid of claim 6, wherein the transcriptional regulatory region is at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene.

8. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

AGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA (SEQ ID NO: 15).

9. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC CTAGTTGTGT AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA AATGACTAGG AGTGGTTCTT GAGACCGATG AGAGATGGGA GCAGAACTAA AGATGATGAC ATAATTAAGA ACGAATTTGA AAGGCTCTTA GGTTTGAATC CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG AACCAAAGAA AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC CTGGCTGTGT ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA ACTAAACTTC CACTCATTAT TTACTGAGGT TAGAGAATAG ACTTGCGAAT AAACACATTC CCGAGAAATA CTCATGATCC CATAATTAGT CAGAGGGTAT GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC

ATGAGTTTGA GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA
GAGGATCCAT GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA
(SEQ ID NO: 16).

10. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

CTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT CTCCTCATAA
CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT TCTCTACATC GCAACCCGGC
CCAAACCGGT TTACCTCGTT GAGTACTCAT GCTACCTTCC ACCAACGCAT TGTAGATCAA
GTATCTCCAA GGTCATGGAT ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG
GCACGTGCGA TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG AAGACTTTTG
CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC GCTAGAAAAT CTATTCAAGA
ACACCAACGT TAACCCTAAA GATATAGGTA TACTTGTGGT GAACTCAAGC ATGTTTAATC
CAACTCCATC GCTCTCCGCG ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA
GCTTTAACCT TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG AACATCACTT
ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC AAATTGCTTG TTCCGTGTTG
GTGGGGCCGC TATTTTGCTC TCCAACAAGC CTGGAGATCG TAGACGGTCC AAGTACGAGC
TAGTTCACAC GGTTCGAACG CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC
AAGGAGACGA TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT CCGTTAAGCG
AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT TTTCAAAGAT AAAATCAAAC
ATTACTACGT CCCGGATTTC AAACTTGCTA TTGACCATTT TTGTATACAT GCCGGAGGCA
GAGCCGTGAT TGATGTGCTA GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT
CAAGATCAAC GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG
CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG ATTGCTTTAG
GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT AAACAATGTC AAAGCTTCGA
CAAATAGTCC TTGGGAACAC TGCATCGACA GATACCCGGT CAAAATTGAT TCTGATTCAG
GTAAGTCAGA GACTCGTGTC CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC
GTTTCTTTTT ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA
TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC TCTTATTTAC
ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG (SEQ ID NO: 17).

Marked-up Version of the Claims
Pursuant to 37 C.F.R. §§ 1.121(b)-(c)

1. A recombinant nucleic acid molecule comprising a heterologous promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence comprises a transcriptional regulatory region capable of mediating seed-specific expression in *Arabidopsis* wherein the transcriptional regulatory region:

   (a) is obtainable from a 5' region of a plant *FAE1* gene; or

   (b) hybridizes under stringent conditions to the 5' region of the plant *FAE1* gene; or

   (c) is at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene.

2. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

AGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA ATCATAGTTT
AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT TGTAGACTTT TTTTTGGCGT
TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT GGAAAACCGA AATTTTCCAT
CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC
TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT
GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT GCAAATACAT
CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA (SEQ ID NO: 15).

3. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC CTAGTTGTGT
AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA AATGACTAGG AGTGGTTCTT
GAGACCGATG AGAGATGGGA GCAGAACTAA AGATGATGAC ATAATTAAGA ACGAATTTGA
AAGGCTCTTA GGTTTGAATC CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG
AACCAAAGAA AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT
CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC CTGGCTGTGT
ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA ACTAAACTTC CACTCATTAT
TTACTGAGGT TAGAGAATAG ACTTGCGAAT AAACACATTC CCGAGAAATA CTCATGATCC

CATAATTAGT CAGAGGGTAT GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA
TGCACATGTA ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT
GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC
TATTTTGCTA TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC
ATGAGTTTGA GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA
GAGGATCCAT GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA
(SEQ ID NO: 16).

4. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

CTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT CTCCTCATAA
CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT TCTCTACATC GCAACCCGGC
CCAAACCGGT TTACCTCGTT GAGTACTCAT GCTACCTTCC ACCAACGCAT TGTAGATCAA
GTATCTCCAA GGTCATGGAT ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG
GCACGTGCGA TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG AAGACTTTTG
CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC GCTAGAAAAT CTATTCAAGA
ACACCAACGT TAACCCTAAA GATATAGGTA TACTTGTGGT GAACTCAAGC ATGTTTAATC
CAACTCCATC GCTCTCCGCG ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA
GCTTTAACCT TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG AACATCACTT
ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC AAATTGCTTG TTCCGTGTTG
GTGGGGCCGC TATTTTGCTC TCCAACAAGC CTGGAGATCG TAGACGGTCC AAGTACGAGC
TAGTTCACAC GGTTCGAACG CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC
AAGGAGACGA TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT CCGTTAAGCG
AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT TTTCAAAGAT AAAATCAAAC
ATTACTACGT CCCGGATTTC AAACTTGCTA TTGACCATTT TTGTATACAT GCCGGAGGCA
GAGCCGTGAT TGATGTGCTA GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT
CAAGATCAAC GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG
CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG ATTGCTTTAG
GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT AAACAATGTC AAAGCTTCGA
CAAATAGTCC TTGGGAACAC TGCATCGACA GATACCCGGT CAAAATTGAT TCTGATTCAG

GTAAGTCAGA GACTCGTGTC CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC
GTTTCTTTTT ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA
TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC TCTTATTTAC
ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG (SEQ ID NO: 17).

5. (amended) The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

CAGCTTAAC CGGTAAAATT GGCCTGTACA
TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT TGTTACTCAA TTGGGCTAAG
TGTATTATTA TATGTGTTGT ATATAATAAA GGTAGAACGT AAATTTACTA AGAATGTGTT
TTTCCAATGT GATTGCTCTT TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT
TAATTTACTG GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG AACGCTTTTT
TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA AAAAGTTCTT AATATTTTCT
CTTTGTTTTA ATGGGTTTGT TTTGCATTTT ATAAGCTTAA TTTTTCTAAT TTAATATTTT
ATCTATCATC GTCCGTAAAG TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA
ATTTGGGAAC TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT CAATGCTAAC
AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT TCGGATCAGT ATTCTTAAAT
AAGAATATAA AACTAATTCA ATAGTTACAG ATAAAAACTT ATATAGACTT TTTTATTTGG
AATATAAAAG TATCAATATA TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT
ATTTTTTATA TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT CATCTGACTA
CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA ATACACATGT CTATATAAAT
GCATGTAAAA CGTAACGGAC CACAAAAGTG GATCCATACA AATACATCTC ATCGCACCCT
CTCCGACACA AAACTGAACA (SEQ ID NO: 18).

6. The recombinant nucleic acid of claim 1 wherein the promoter sequence is selected from the group consisting of *Arabidopsis thaliana*, *Lunaria annua* and *Brassica napus FAE1* promoter sequences.

7. (amended) The recombinant nucleic acid of ~~any one of claims 1 through 6~~claim 6, wherein the transcriptional regulatory region is at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene.

8. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

AGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA
ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT TGTAGACTTT
TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT GGAAAACCGA
AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC TATTTTGCTA
TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA
GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT
GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA (SEQ ID NO: 15).

9. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC CTAGTTGTGT
AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA AATGACTAGG AGTGGTTCTT
GAGACCGATG AGAGATGGGA GCAGAACTAA AGATGATGAC ATAATTAAGA ACGAATTTGA
AAGGCTCTTA GGTTTGAATC CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG
AACCAAAGAA AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT
CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC CTGGCTGTGT
ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA ACTAAACTTC CACTCATTAT
TTACTGAGGT TAGAGAATAG ACTTGCGAAT AAACACATTC CCGAGAAATA CTCATGATCC
CATAATTAGT CAGAGGGTAT GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA
TGCACATGTA ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT TATTTTAAGT
GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA TATATATTTC TGCAATGTAC
TATTTTGCTA TTTTGGCAAC TTTCAGTGGA CTACTACTTT ATTACAATGT GTATGGATGC
ATGAGTTTGA GTATACACAT GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA
GAGGATCCAT GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA
(SEQ ID NO: 16).

10. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

CTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT CTCCTCATAA
CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT TCTCTACATC GCAACCCGGC
CCAAACCGGT TTACCTCGTT GAGTACTCAT GCTACCTTCC ACCAACGCAT TGTAGATCAA
GTATCTCCAA GGTCATGGAT ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG
GCACGTGCGA TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG AAGACTTTTG
CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC GCTAGAAAAT CTATTCAAGA
ACACCAACGT TAACCCTAAA GATATAGGTA TACTTGTGGT GAACTCAAGC ATGTTTAATC
CAACTCCATC GCTCTCCGCG ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA
GCTTTAACCT TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG AACATCACTT
ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC AAATTGCTTG TTCCGTGTTG
GTGGGGCCGC TATTTTGCTC TCCAACAAGC CTGGAGATCG TAGACGGTCC AAGTACGAGC
TAGTTCACAC GGTTCGAACG CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC
AAGGAGACGA TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT CCGTTAAGCG
AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT TTTCAAAGAT AAAATCAAAC
ATTACTACGT CCCGGATTTC AAACTTGCTA TTGACCATTT TTGTATACAT GCCGGAGGCA
GAGCCGTGAT TGATGTGCTA GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT
CAAGATCAAC GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG
CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG ATTGCTTTAG
GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT AAACAATGTC AAAGCTTCGA
CAAATAGTCC TTGGGAACAC TGCATCGACA GATACCCGGT CAAAATTGAT TCTGATTCAG
GTAAGTCAGA GACTCGTGTC CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC
GTTTCTTTTT ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA
TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC TCTTATTTAC
ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG (SEQ ID NO: 17).

11. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

CAGCTTAAC CGGTAAAATT GGCCTGTACA
TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT TGTTACTCAA TTGGGCTAAG
TGTATTATTA TATGTGTTGT ATATAATAAA GGTAGAACGT AAATTTACTA AGAATGTGTT
TTTCCAATGT GATTGCTCTT TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT
TAATTTACTG GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG AACGCTTTTT
TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA AAAAGTTCTT AATATTTTCT
CTTTGTTTTA ATGGGTTTGT TTTGCATTTT ATAAGCTTAA TTTTTCTAAT TTAATATTTT
ATCTATCATC GTCCGTAAAG TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA
ATTTGGGAAC TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT CAATGCTAAC
AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT TCGGATCAGT ATTCTTAAAT
AAGAATATAA AACTAATTCA ATAGTTACAG ATAAAAACTT ATATAGACTT TTTTATTTGG
AATATAAAAG TATCAATATA TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT
ATTTTTTATA TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT CATCTGACTA
CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA ATACACATGT CTATATAAAT
GCATGTAAAA CGTAACGGAC CACAAAAGTG GATCCATACA AATACATCTC ATCGCACCCT
CTCCGACACA AAACTGAACA (SEQ ID NO: 18).

12. (amended) The recombinant nucleic acid of ~~any of claims 1 through 11~~claim 1 wherein the nucleic acid sequence encodes a translatable mRNA.

13. The recombinant nucleic acid of claim 12 wherein the nucleic acid sequence encodes an enzyme involved in lipid metabolism.

14. (amended) The recombinant nucleic acid of ~~any one of claims 1 through 13~~claim 13, further comprising a transcription termination region operably linked to the nucleic acid sequence.

15. (amended) A host cell comprising the recombinant nucleic acid of ~~any one of claims 1 through~~ 14.

16. The host cell of claim 15, wherein the host cell is of a dicotyledonous plant species.

17. (amended) A plant comprising the recombinant nucleic acid of ~~any one of claims 1 through 14~~claim 14.

18. The plant of claim 17, wherein the plant is of a dicotyledonous plant species.

19. (amended) A method of altering the phenotype of a seed comprising:

a) transforming a seed-bearing plant, or a progenitor of the seed-bearing plant, with a vector comprising the nucleic acid of ~~any one of claims 1 through 14~~claim 1;

b) growing the seed-bearing plant to obtain seed under conditions wherein the nucleic acid sequence is expressed during embryogenesis under the control of the transcriptional regulatory region to alter the phenotype of the seed.

20. (amended) A method of transforming a plant cell comprising transforming the plant cell with the recombinant nucleic acid of ~~any one of claims 1 through 14~~claim 1.

11. (amended) The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

CAGCTTAAC CGGTAAAATT GGCCTGTACA
TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT TGTTACTCAA TTGGGCTAAG
TGTATTATTA TATGTGTTGT ATATAATAAA GGTAGAACGT AAATTTACTA AGAATGTGTT
TTTCCAATGT GATTGCTCTT TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT
TAATTTACTG GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG AACGCTTTTT
TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA AAAAGTTCTT AATATTTTCT
CTTTGTTTTA ATGGGTTTGT TTTGCATTTT ATAAGCTTAA TTTTTCTAAT TTAATATTTT
ATCTATCATC GTCCGTAAAG TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA
ATTTGGGAAC TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT CAATGCTAAC
AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT TCGGATCAGT ATTCTTAAAT
AAGAATATAA AACTAATTCA ATAGTTACAG ATAAAAACTT ATATAGACTT TTTTATTTGG
AATATAAAAG TATCAATATA TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT
ATTTTTTATA TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT CATCTGACTA
CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA ATACACATGT CTATATAAAT
GCATGTAAAA CGTAACGGAC CACAAAAGTG GATCCATACA AATACATCTC ATCGCACCCT
CTCCGACACA AAACTGAACA (SEQ ID NO: 18).

12. (amended) The recombinant nucleic acid of claim 1 wherein the nucleic acid sequence encodes a translatable mRNA.

14. (amended) The recombinant nucleic acid of claim 13, further comprising a transcription termination region operably linked to the nucleic acid sequence.

15. (amended) A host cell comprising the recombinant nucleic acid of claim 14.

17. (amended) A plant comprising the recombinant nucleic acid of claim 14.

19. (amended) A method of altering the phenotype of a seed comprising:

a) transforming a seed-bearing plant, or a progenitor of the seed-bearing plant, with a vector comprising the nucleic acid of claim 1;

b) growing the seed-bearing plant to obtain seed under conditions wherein the nucleic acid sequence is expressed during embryogenesis under the control of the transcriptional regulatory region to alter the phenotype of the seed.

20. (amended) A method of transforming a plant cell comprising transforming the plant cell with the recombinant nucleic acid of claim 1.

REMARKS

By this preliminary amendment, the specification is amended to add the priority claim to related cases. Claims 7, 12, 14, 15, 16, 19, and 20 are amended to remove multiple dependencies, and claims 2, 3, 4, 5, 8, 9, 10, and 11 are amended to provide reference to the SEQ ID NO for the indicated sequences.

No new matter has been added by this amendment. Nor was this amendment made for any purpose related to statutory requirements of patentability; rather, the changes are related to purely economic considerations and are in no way meant to limit the scope of any claim.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By _____
Tanya M. Harding, Ph.D.
Registration No. 42,630

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

REGULATION OF EMBRYONIC TRANSCRIPTION IN PLANTS

FIELD OF THE INVENTION

The invention is in the field of nucleic acid sequences capable of regulating transcription, particularly sequences that may promote transcription during embryogenesis in plants.

BACKGROUND OF THE INVENTION

Most of the information about seed-specific gene expression comes from studies of genes encoding seed storage proteins like napin, a major protein in the seeds of *Brassica napus*, or conglycinin of soybean. Upstream DNA sequences directing strong embryo-specific expression of these storage proteins have been used successfully in transgenic plants to manipulate seed lipid composition and accumulation (Voelker et al., 1996). However, expression of storage protein genes begins fairly late in embryogenesis. Thus, promoters of seed storage protein genes may not be ideal for all seed-specific applications. For example, storage oil accumulation commences significantly before the highest level of expression of either napin (Stalberg et al., 1996) or conglycinin (Chen et al., 1988) is achieved. It is, therefore of interest to identify other promoters which may modulate expression of genes in developing plant embryos.

A variety of transcriptional regulatory regions that may be active during plant embryogenesis are known, as disclosed for example in: U.S. Patent No. 5,792,922 issued 11 August 1998 to Moloney; U.S. Patent No. 5,623,067 issued 22 April 1997 to Vandekerckhove et al.; International Patent Publication WO9845461 published 15 October 1998. There remains a need for alternative transcriptional regulatory regions.

FATTY ACID ELONGATION1 (*FAE1*) genes encode condensing enzymes involved in plant very long chain fatty acid biosynthesis. The FAE1 condensing enzyme is thought to be localized in the endoplasmic reticulum where it catalyzes the sequential elongation of C18 fatty acyl chains to C22 in length (Kunst et al., 1992). *FAE1* genes have been cloned and described recently by James et al. (1995), International Patent Publication WO 96/13582.

SUMMARY OF THE INVENTION

In one aspect, the invention provides transcriptional regulatory regions derived from *FAE1* genes. The transcriptional regulatory regions of the invention may be useful in

promoting early seed-specific transcription of heterologous sequences to which they are operably linked. The transcriptional regulatory regions of the invention may be used in a wide variety of plants, including *Brassica sp.*, *Arabidopsis* and other plant species. DNA constructs comprising the transcriptional regulatory sequences of the invention may be active during fatty acid or lipid biosynthesis in the plant embryo. Certain embodiments of the constructs of the invention may be used in transgenic plants to promote expression of heterologous sequences in developing seeds. In various embodiments, the constructs of the invention may be used to mediate gene expression that affects seed lipid metabolism, or seed protein composition or seed carbohydrate composition, or seed development. In alternative embodiments, the transcriptional regulatory regions of the invention may also be useful for the production of modified seeds containing novel recombinant proteins which have pharmaceutical, industrial or nutritional value.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 shows a 934 bp DNA sequence comprising the *Arabidopsis thaliana FAE1* transcription regulatory sequence.

Figure 2 shows a 1588 bp DNA sequence comprising the *Brassica napus FAE1* transcription regulatory sequence.

Figure 3 shows a 1069 bp DNA sequence comprising the *Lunaria annua FAE1* transcription regulatory sequence.

Figure 4 shows an alignment of the *Arabidopsis thaliana* (*A.t.*), *Lunaria annua* (*L.a.*) and *Brassica napus* (*B.n.*) transcription regulatory sequences. Asterisks below the sequences indicate identical nucleotides in each of the three sequences. A number of putative cis-acting sequence motifs are identified in the *A. thaliana* sequence: an EM1 ABA box at -44bp to -36bp having the sequence ACATCTCAT, for which the published consensus sequence is ACGTGTCAT (Rowley, D.L. and Herman, E.M. (1997), Biochimica et Biophysica Acta 1345:1-4); an A-300 box at -51bp to -46bp having the sequence TGCAAT, for which the published consensus sequence is TG(T/A/C)AAA(G/T) (Morton et al. (1994) in Seed Development and Germination (Kigel, J. and Gallili, G., eds.) pp. 103-138, Marcel Dekker, New York); G-box 1 at -105 to -100 bp having the sequence CACATG, for which is the consensus sequence is CACCTG, and G-box 2 at -164 to -159 bp having the sequence CAACTT, for which the consensus sequence is CAACTG (Kawogoe, Y. and Murai, N. (1992) Plant J. 2:927-936; CE1 element at -226 to -218 bp having the sequence

TTCCATCGA. for which the consensus sequence is TGCCACCGG. and a CE3 element at -381bp to -369 bp having the sequence ACACATTCCCTC, for which the consensus sequence is ACGCGTGTCCTC (Shen et al., (1996) Plant Cell 8:1107-1119). Not highlighted is a putative RY repeat motif at -53bp to -47bp having the sequence CATGCAA, for which the consensus sequence is CATGCAT (Dickinson et al. (1988) Nucleic Acid Res. 16:371; Lelievre et al. (1992) Plant Physiol. 98:387-391). Also shown, as Con. 4, is a consensus sequence, wherein R=G or A, Y=T/U or C, M=A or C, K=G or T/U, S=G or C, W=A or T/U, B=G or C or T/U, D=A or G or T/U, H=A or C or T/U, V=A or G or C and N=A or G or C or T/U.

Figure 5 shows an alignment of the *Arabidopsis thaliana* (*A.t.*) and *Lunaria annua* (*L.a.*) transcription regulatory sequences. Asterisks below the sequences indicate identical nucleotides in each of the two sequences. The base at position -400 in the *A.t.* sequence is highlighted. The alignment of sequences in both Figure 4 and Figure 5 was accomplished using the CLUSTALW program (version 1.74) for multiple sequence alignments, using a gap open penalty of 15, a gap extension penalty of 6.66 and an IUB DNA weight matrix. Also shown, as Con. 5, is a consensus sequence, wherein R=G or A, Y=T/U or C, M=A or C, K=G or T/U, S=G or C, W=A or T/U, B=G or C or T/U, D=A or G or T/U, H=A or C or T/U, V=A or G or C and N=A or G or C or T/U.

Figure 6 includes two bar graphs illustrating hydroxy fatty acid content of A) *FAE1-FAH12* and B) *napin-FAH12* transgenic seeds, expressed as percentage of total seed fatty acids.

Figure 7 shows an alignment of the *Brassica napus* (*B.n.*) and *Lunaria annua* (*L.a.*) *FEA1* transcription regulatory sequences. Asterisks below the sequences indicate identical nucleotides in each of the two sequences.

Figure 8 shows an alignment of the *Brassica napus* (*B.n.*) and *Arabidopsis thaliana* (*A.t.*) *FEA1* transcription regulatory sequences. Asterisks below the sequences indicate identical nucleotides in each of the two sequences.

DETAILED DESCRIPTION OF THE INVENTION

The recombinant nucleic acid molecules of the invention may comprise a heterologous promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence comprises a transcriptional regulatory region capable of mediating seed-specific expression in *Arabidopsis*. The transcriptional regulatory region may be obtainable from a

plant *FAE1* gene. Alterntively, The transcriptional regulatory region may hybridize under stringent conditions to a 5' region of the plant *FAE1* gene. In further alternative embodiments, The transcriptional regulatory region may be at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene.

In alternative embodiments, the invention provides isolated nucleic acids comprising the transcriptional regulatory regions of the invention. By isolated, it is meant that the isolated substance has been substantially separated or purified away from other biological components with which it would otherwise be associated, for example *in vivo*. The term 'isolated' therefore includes substances purified by standard purification methods, as well as substances prepared by recombinant expression in a host, as well as chemically synthesized substances.

In the context of the present invention, "transcriptional regulatory region" means a nucleotide sequence capable of mediating or modulating transcription of a nucleotide sequence of interest, when the transcriptional regulatory region is operably linked to the sequence of interest. Conversely, a transcriptional regulatory region and a sequence of interest are "operably linked" when the sequences are functionally connected so as to permit transcription of the sequence of interest to be mediated or modulated by the transcriptional regulatory region. In some embodiments, to be operably linked, a transcriptional regulatory region may be located on the same strand as the sequence of interest. The transcriptional regulatory region may in some embodiments be located 5' of the sequence of interest. In such embodiments, the transcriptional regulatory region may be directly 5' of the sequence of interest or there may be intervening sequences between these regions. The operable linkage of the transcriptional regulatory region and the sequence of interest may require appropriate molecules (such as transcriptional activator proteins) to be bound to the transcriptional regulatory region, the invention therefore encompasses embodiments in which such molecules are provided, either *in vitro* or *in vivo*.

The term "recombinant" means that something has been recombined, so that when made in reference to a nucleic acid molecule the term refers to a molecule that is comprised of nucleic acid sequences that are joined together by means of molecular biological techniques. The term "recombinant" when made in reference to a protein or a polypeptide refers to a protein molecule which is expressed using a recombinant nucleic acid molecule. The term "heterologous" when made in reference to a nucleic acid sequence refers to a nucleotide sequence which is ligated to, or is manipulated to become ligated to, a nucleic acid sequence

to which it is not ligated in nature, or to which it is ligated at a different location in nature. The term "heterologous" therefore indicates that the nucleic acid molecule has been manipulated using genetic engineering, i.e. by human intervention.

Sequences may be derived or obtainable from plant *FAE1* genes by deduction and synthesis based upon the wild-type *FAE1* gene sequences. Derived sequences may be identified in different organisms, for example by isolation using as probes the nucleic acid sequences of the invention. Alternative transcriptional regulatory regions may be derived through mutagenesis or substitution of wild-type sequences, such as the sequence disclosed herein. Derived nucleic acids of the invention may be obtained by chemical synthesis, isolation, or cloning from genomic DNAs using techniques known in the art, such as the Polymerase Chain Reaction (PCR). Consensus sequences, such as those illustrated in Figures 4 and 5 are alternative embodiments of the nucleic acids of the invention, derived from the disclose wild-type *FAE1* gene sequences. Nucleic acids of the present invention may be used to design alternative primers (probes) suitable for use as PCR primers to amplify particular regions of an *FAE1* gene. Such PCR primers may for example comprise a sequence of 15-20 consecutive nucleotides of the sequences of the invention. To enhance amplification specificity, primers of 20-30 nucleotides in length may also be used. Methods and conditions for PCR amplification are described in Innis et al. (1990); Sambrook et al. (1989); and Ausubel et al. (1995). As used herein, the term "probe" when made in reference to an oligonucleotide refers to an oligonucleotide which is capable of hybridizing to another oligonucleotide of interest. A probe may be single-stranded or double-stranded. Probes are, for example, useful in the detection, identification, amplification and isolation of particular gene sequences. Oligonucleotide probes may be labelled with a "reporter molecule," so that the probe is detectable using a detection system, such as enzymatic, fluorescent, radioactive or luminescent detection systems.

Derived nucleic acids of the invention may also be identified by hybridization, such as Southern or Northern analysis. Southern analysis is a method by which the presence of DNA sequences in a target nucleic acid mixture are identified by hybridization to a labeled probe, comprising an oligonucleotide or DNA fragment of a nucleic acid of the invention. Probes for Southern analysis may for example be at least 15 nucleotides in length. Southern analysis typically involves electrophoretic separation of DNA digests on agarose gels, denaturation of the DNA after electrophoretic separation, and transfer of the DNA to nitrocellulose, nylon, or another suitable membrane support for analysis with a radiolabeled, biotinylated, or enzyme-

labeled probe as described in Sambrook *et al.* (1989). Similarly, Northern analysis may be used to identify RNAs that hybridize to a known probe such as an oligonucleotide, DNA fragment, cDNA or fragment thereof, or RNA fragment of a nucleic acid of the invention or a known *FAE1* sequence. The probe may be labeled with a radioisotope such as ^{32}P, by biotinylation or with an enzyme. The RNA to be analyzed may be electrophoretically separated on an agarose or polyacrylamide gel, transferred to nitrocellulose, nylon, or other suitable membrane, and hybridized with the probe, using standard techniques well known in the art such as described in Sambrook *et al.* (1989).

In alternative embodiments, a transcriptional regulatory region of the invention may be at least 70% identical when optimally aligned to the 5' region of a plant *FAE1* gene, such as the *Arabidopsis FAE1* gene. In alternative embodiments, the degree of identity may be between 50% and 100%, such as 60%, 80%, 90%, 95% or 99%. When a position in the compared sequence is occupied by the same nucleotide or amino acid, following optimal alignment of the sequences, the molecules are considered to have identity at that position. The degree of identity between sequences is a function of the number of matching positions shared by the sequences. In terms of percentage, identity is the sum of identical positions, divided by the total length over which the sequences are aligned, multiplied by 100.

Various aspects of the present invention encompass nucleic acid or amino acid sequences that are homologous to other sequences. As the term is used herein, an amino acid or nucleic acid sequence is "homologous" to another sequence if the two sequences are substantially identical and the functional activity of the sequences is conserved (for example, both sequences function as or encode a FAE1 enzyme; as used herein, the term 'homologous' does not infer evolutionary relatedness). Nucleic acid sequences may also be homologous if they encode substantially identical amino acid sequences, even if the nucleic acid sequences are not themselves substantially identical, a circumstance that may for example arise as a result of the degeneracy of the genetic code.

Two amino acid or nucleic acid sequences are considered substantially identical if, when optimally aligned (with gaps permitted), they share at least about 50% sequence similarity or identity, or if the sequences share defined functional motifs. In alternative embodiments, sequence similarity in optimally aligned substantially identical sequences may be at least 60%, 70%, 80%, 90% or 95%. As used herein, a given percentage of homology between sequences denotes the degree of sequence identity in optimally aligned sequences.

Optimal alignment of sequences for comparisons of similarity may be automated using a variety of algorithms, such as the local homology algorithm of Smith and Waterman (1981) *Adv. Appl. Math* 2: 482, the homology alignment algorithm of Needleman and Wunsch (1970) *J. Mol. Biol.* 48:443, the search for similarity method of Pearson and Lipman (1988) *Proc. Natl. Acad. Sci. USA* 85: 2444, and the computerized implementations of these algorithms (such as GAP, BESTFIT, FASTA and TFASTA in the Wisconsin Genetics Software Package, Genetics Computer Group, Madison, WI, U.S.A.). Sequence similarity may also be determined using the BLAST algorithm, described in Altschul *et al.* (1990), *J. Mol. Biol.* 215:403-10 (using the published default settings). Software and instructions for performing BLAST analysis may be available through the National Center for Biotechnology Information in the United States (including the programs BLASTP, BLASTN, BLASTX, TBLASTN and TBLASTX that may be available through the internet at http://www.ncbi.nlm.nih.gov/). The BLAST algorithm involves first identifying high scoring sequence pairs (HSPs) by identifying short words of length W in the query sequence that either match or satisfy some positive-valued threshold score T when aligned with a word of the same length in a database (reference) sequence. T is referred to as the neighborhood word score threshold. Initial neighborhood word hits act as seeds for initiating searches to find longer HSPs. The word hits are extended in both directions along each sequence for as far as the cumulative alignment score can be increased. Extension of the word hits in each direction is halted when the following parameters are met: the cumulative alignment score falls off by the quantity X from its maximum achieved value; the cumulative score goes to zero or below, due to the accumulation of one or more negative-scoring residue alignments; or the end of either sequence is reached. The BLAST algorithm parameters W, T and X determine the sensitivity and speed of the alignment. The BLAST program may use as defaults a word length (W) of 11, the BLOSUM62 scoring matrix (Henikoff and Henikoff (1992) *Proc. Natl. Acad. Sci. USA* 89: 10915-10919), a gap existence cost of 11, a per residue gap cost of 1, a lambda ratio of 0.85, alignments (B) of 50, expectation (E) of 10, M=5, N=4, and a comparison of both strands. One measure of the statistical similarity between two sequences using the BLAST algorithm is the smallest sum probability (P(N)), which provides an indication of the probability by which a match between two nucleotide or amino acid sequences would occur by chance. In alternative embodiments of the invention, nucleotide or amino acid sequences are considered substantially identical if the smallest sum probability in a comparison of the test sequences is less than about 1, preferably less than about 0.1, more preferably less than

about 0.01, and most preferably less than about 0.001. In the PSI-BLAST implementation of the BLAST algorithm, an expect value for inclusion in PSI-BLAST iteration may be 0.001 (Altschul et al. (1997), Nucleic Acids Res. 25:3389-3402). Searching parameters may be varied to obtain potentially homologous sequences from database searches.

An alternative indication that two nucleic acid sequences are substantially identical is that the two sequences hybridize to each other under moderately stringent, or preferably stringent, conditions. Hybridization to filter-bound sequences under moderately stringent conditions may, for example, be performed in 0.5 M $NaHPO_4$, 7% sodium dodecyl sulfate (SDS), 1 mM EDTA at 65EC, and washing in 0.2 x SSC/0.1% SDS at 42EC (see Ausubel, *et al.* (eds), 1989, *Current Protocols in Molecular Biology*, Vol. 1, Green Publishing Associates, Inc., and John Wiley & Sons, Inc., New York, at p. 2.10.3). Alternatively, hybridization to filter-bound sequences under stringent conditions may, for example, be performed in 0.5 M $NaHPO_4$, 7% SDS, 1 mM EDTA at 65EC, and washing in 0.1 x SSC/0.1% SDS at 68EC (see Ausubel, *et al.* (eds), 1989, *supra*). Hybridization conditions may be modified in accordance with known methods depending on the sequence of interest (see Tijssen, 1993, *Laboratory Techniques in Biochemistry and Molecular Biology -- Hybridization with Nucleic Acid Probes*, Part I, Chapter 2 "Overview of principles of hybridization and the strategy of nucleic acid probe assays", Elsevier, New York). Generally, stringent conditions are selected to be about 5EC lower than the thermal melting point for the specific sequence at a defined ionic strength and pH.

A *FAE1* promoter is any naturally occurring transcriptional regulatory region that mediates or modulates the expression of a plant FAE1 condensing enzyme. Plant FAE1 condensing enzymes are proteins that are homologous to known FAE1 condensing enzymes, such as those cloned and described in International Patent Publication WO 96/13582.

Heterologous DNA sequences may for example be introduced into a host cell by transformation. Such heterologous molecules may include sequences derived from the host cell species, which have been isolated and reintroduced into cells of the host species. Heterologous nucleic acid sequences may become integrated into a host cell genome, either as a result of the original transformation of the host cells, or as the result of subsequent recombination events. Transformation techniques that may be employed include plant cell membrane disruption by electroporation, microinjection and polyethylene glycol based transformation (such as are disclosed in Paszkowski *et al. EMBO J.* 3:2717 (1984); Fromm *et al., Proc. Natl. Acad. Sci. USA* 82:5824 (1985); Rogers *et al., Methods Enzymol.* 118:627

(1986); and in U.S. Patent Nos. 4,684,611; 4,801,540; 4,743,548 and 5,231,019), biolistic transformation such as DNA particle bombardment (for example as disclosed in Klein, *et al.*, *Nature* 327: 70 (1987); Gordon-Kamm, *et al.* "The Plant Cell" 2:603 (1990); and in U.S. Patent Nos. 4,945,050; 5,015,580; 5,149,655 and 5,466,587); *Agrobacterium*-mediated transformation methods (such as those disclosed in Horsch *et al. Science* 233: 496 (1984); Fraley *et al.*, *Proc. Nat'l Acad. Sci. USA* 80:4803 (1983); and U.S. Patent Nos. 4,940,838 and 5,464,763).

Standard methods are available for the preparation of constructs for use in identifying and characterizing transcriptional regulatory regions useful in various embodiments of the invention. General molecular techniques may for example be performed by procedures generally described by Ausubel FM, Brent R, Kingston RE, Moore DD, Seidman JG, Smith JA, Stuhl K. (1995) Current Protocols in Molecular Biology, Vols 1, 2 and 3. Alternative equivalent methods or variations thereof may be used in accordance with the general knowledge of those skilled in this art and the functional requirements of the present invention.

In some aspects of the invention, transformed plant cells may be cultured to regenerate whole plants having a transformed genotype and displaying a desired phenotype, as for example modified by the expression of a heterologous protein mediated by a transcriptional regulatory region of the invention. A variety of plant culture techniques may be used to regenerate whole plants, such as are described in Gamborg and Phillips, "Plant Cell, Tissue and Organ Culture, Fundamental Methods", Springer Berlin, 1995); Evans *et al.* "Protoplasts Isolation and Culture", Handbook of Plant Cell Culture, Macmillian Publishing Company, New York, 1983; or Binding, "Regeneration of Plants, Plant Protoplasts", CRC Press, Boca Raton, 1985; or in Klee *et al.*, *Ann. Rev. of Plant Phys.* 38:467 (1987). A cell, tissue, organ, or organism into which has been introduced a foreign nucleic acid, is considered "transformed", "transfected", or "transgenic". A transgenic or transformed cell or organism also includes progeny of the cell or organism and progeny produced from a breeding program employing a transgenic plant as a parent in a cross and exhibiting an altered phenotype resulting from the presence of a recombinant nucleic acid construct. A transgenic plant is therefore a plant that has been transformed with a heterologous nucleic acid, or the progeny of such a plant that includes the transgene. The invention provides vectors, such as vectors for transforming plants or plant cells. The term "vector" in reference to nucleic acid molecule generally refers to a molecule that may be used to transfer a nucleic acid segment(s) from one cell to another. One of skill will recognize that after the nucleic acid is stably incorporated in transgenic plants and

confirmed to be operable, it can be introduced into other plants by sexual crossing. Any of a number of standard breeding techniques may be used, depending upon the species to be crossed.

In various embodiments, the invention comprises plants transformed with the nucleic acids of the invention. In some embodiments, such plants will exhibit altered fatty acid content in one or more tissues. These aspects of the invention relate to all higher plants, including monocots and dicots, such as species from the genera *Fragaria, Lotus, Medicago, Onobrychis, Trifolium, Trigonelia, Vigna, Citrus, Linum, Geranium, Manihot, Daucus, Arabidopsis, Brassica, Raphanus, Sinapis, Atropa, Capsicum, Hyoscyamus, Lycopersicon, Nicotiana, Solanum, Petunia, Digitalis, Majorana, Cichorium, Helianthus, Lactuca, Bromus, Asparagus, Antirrhinum, Heterocallis, Nemesia, Pelargonium, Panicum, Pennisetum, Ranunculus, Senecio, Salpiglossis, Cucumis, Browallia, Glycine, Lolium, Zea, Triticum, Sorghum, and Datura*. Such plants may include maize, wheat, rice, barley, soybean, beans, rapeseed, canola, alfalfa, flax, sunflower, cotton, clover, lettuce, tomato cucurbits, potato carrot, radish, pea lentils, cabbage, broccoli, brussel sprouts, peppers, apple, pear, peach, apricot, carnations and roses. More specifically, in alternative embodiments, plants for which the invention may be used in modifying fatty acid content include oil crops of the *Cruciferae* family: canola, rapeseed (*Brassica* spp.), crambe (*Crambe* spp.), honesty (*Lunaria* spp.) lesquerella (*Lesquerela* spp.), and others; the *Compositae* family: sunflower (*Helianthus* spp.), safflower (*Carthamus* spp.), niger (*Guizotia* spp.) and others; the *Palmae* family: palm (*Elaeis* spp.), coconut (*Cocos* spp.) and others; the *Leguminosae* family: peanut (*Arachis* spp.), soybean (*Glycine* spp.) and others; and plants of other families such as maize (*Zea* spp.), cotton (*Gossypium* sp.), jojoba (*Simonasia* sp.), flax (*Linum* sp.), sesame (*Sesamum* spp.), castor bean (*Ricinus* spp.), olive (*Olea* spp.), poppy (*Papaver* spp.), spurge (*Euphorbia*, spp.), meadowfoam (*Limnanthes* spp.), mustard (*Sinapis* spp.) and cuphea (*Cuphea* spp.).

Nucleic acids of the invention may also be used as a plant breeding tool, as molecular markers to aid in plant breeding programs. Such techniques would include using the gene itself as a molecular probe or using the DNA sequence to design PCR primers to use PCR based screening techniques in plant breeding programs.

Deletion or insertion constructs may be useful for domain mapping to determine the functional domains or motifs of a transcriptional regulatory region derived from a *FAE1* gene. An aspect of the invention is the construction and testing of such constructs, as described below for the 5' deletion construct of the *A. thaliana FAE1* 5' region. One aspect of the

invention comprises transcriptional regulatory regions that are derived from functionally important regions of a *FAE1* promoter. As outlined above, the functionally important regions of a *FAE1* promoter may be determined through routine assays. Alternatively, randomly selected portions of a a *FAE1* promoter may be selected for use in routine assays to determine whether the selected region is capable of functioning as a transcriptional regulatory region in the context of the present invention. In various embodiments, regions of the *Arabidopsis thaliana, Brassica napus* or *Lunaria annua* promoters may be used. For example, the following motifs in the *A.t. FAE1* promoter may be used alone or in combination in novel transcriptional regulatory regions (see Figure 4): the CE-like elements (CE1 and CE3), the RY repeat motif, the G-boxes (G-box1 and G-box2), the A-300 box, the EM1 ABA box, or the CTATTTTG element. Constructs of the invention comprising such motifs, deletions or insertions may be assayed for activity as transcriptional regulatory regions of the invention by testing for strong seed-specific activity providing expression of a sequence of interest (such as a reporter sequence) before the torpedo stage and persisting throughout embryo development, in accordance with standard testing methods that may be adapted from the methods disclosed herein.

Alternative embodiments of the transcriptional regulatory regions of the invention may be identified using information available through NCBI databases at http://www.ncbi.nih.gov.

In various embodiments, transcriptional regulatory regions derived from plant *FAE1* genes are shown to be capable of directing expression of desired genes at an early stage of development in a seed-specific manner in disparate plant species. In particular embodiments, the transcriptional regulatory regions of the invention may be used in a wide variety of dicotyledonous plants for modification of the seed phenotype. For example, new seed phenotypes may include:

(1) altered seed fatty acid composition or seed oil composition and accumulation

(2) altered seed protein or carbohydrate composition or accumulation

(3) enhanced production of desirable endogenous seed products

(4) suppression of production of undesirable gene products using antisense, co-suppression or ribozyme technologies

(5) production of novel recombinant proteins for pharmaceutical, industrial or nutritional purposes

Isolation of a seed-specific promoter from *A. thaliana*

Using the sequence information of the *A. thaliana* genome sequencing project, synthetic oligonucletide primers were designed to amplify the *FAE1* 5' untranslated region, to isolate it by PCR. As shown in Figure 1, the upstream primer 5'-CTAGTAGATTGGTTGGTTGGTTTCC-3' (AtproFW) in combination with the downstream primer 5'-TGCTCTGTTTGTGTCGGAAAATAATGG-3' (AtproRV) were used, and resulted in the synthesis of a fragment of the correct size (934 bp). The amplified product was subcloned in the *Hin*cII site of the plasmid pT7T3-18U (Pharmacia) to produce plasmid pT7T3-18U/proFAE900, followed by complete sequence determination of both strands to verify the fragment identity. A BLAST search of the *A. thaliana* Database identified a single BAC clone T4L20 (GenBank ATF10M6) 125,179 bp long, which contains the complete *FAE1* gene.

Functional analysis of the *FAE1* 5' upstream region

5' upstream fragments of the *FAE1* gene were shown to confer seed-specific and temporally regulated gene expression in plants. A translational fusion was made between the *FAE1* 5' region and the coding region of the reporter gene β-glucuronidase (GUS). The chimeric gene (pFAE900-GUS or pFAE400-GUS) was transferred into *Arabidopsis* and tobacco and GUS activity was monitored in various tissue of transgenic plants.

Construction of the vectors pFAE900-GUS and pFAE400-GUS, and transformation of *Arabidopsis* and tobacco, was as follows. The insert was cleaved out of pT7T3-18U vector with *Hin*dIII and *Xba*I and directionally subcloned into the corresponding sites of the binary Ti plasmid pBI101 (Clontech), which contains a promoterless GUS gene (Jefferson et al. 1987), to obtain the vector pFAE900-GUS. Another construct, pFAE400-GUS, containing only 393 bp of the 5' *FAE1* region directly upstream of the ATG initiation codon fused to the GUS coding sequence was also generated. For that, the pT7T3-18U/proFAE900 vector was digested with *BglII* and *PstI*, the sticky ends were filled in using T4 DNA polymerase, followed by re-ligation to obtain pT7T3-18U/proFAE400. The 393 bp 5' *FAE1* upstream fragment was then excised with *Hin*dIII and *Xba*I and cloned into the binary vector pBI101 to obtain the plasmid pFAE400-GUS. The pFAE400-GUS and pFAE900-GUS fusion constructs in pBI101 were introduced into *Agrobacterium tumefaciens* strain GV3101 (Koncz and Schell, 1986) by heat-shock and selected for resistance to kanamycin (50 μg/ml). *A. thaliana* (L.) Heynh. ecotype Columbia was transformed with the pFAE400-GUS and pFAE900-GUS constructs using floral dip method (Clough and Bent, 1998). Screening for transformed seed

was done on 50μg/mL kanamycin as described previously (Katavic et al., 1994). Approximately 100 transgenic lines were generated for each construct.

For transformation of tobacco, *A. tumefaciens* harbouring the pFAE900-GUS construct was co-cultivated with leaf pieces of *Nicotiana tabacum* SR1 and transformants were selected with kanamycin (100μg/mL) on solid medium (Lee and Douglas, 1996).

Histochemical localization of GUS activity and analysis of transgenic plants was as follows. Tissue sections were placed in 100 mM $NaPO_4$ (pH7) and 1 mM spermidine for 15 min, then incubated at 37° C in 0.5 $K_3[Fe(CN)_6]$, 0.01 % Triton X-100, 1mM EDTA, 10 mM β-mercaptoethanol, 5-bromo-4-chloro-3-indolyl-β-D-glucuronide in 100 mM $NaPO_4$ (pH7), until a blue color appeared (after approximately 1 hr). Following incubation with the substrate, chlorophyll was removed from the sections using a graded ethanol series.

Using this assay, five independent transgenic *Arabidopsis* lines were examined for the embryo-specific expression of the GUS gene. In addition, leaf, stem and siliques were histochemically stained for β-glucuronidase activity. The results indicate that the reporter gene fused to the transcriptional regulatory region of the invention is not expressed in vegetative tissues, whereas it is highly expressed in developing seeds (embryos). Both the 934 bp and the 393 bp transcriptional regulatory regions derived from the *A.t. FAE1* gene caused the appearance of GUS activity by the torpedo stage embryo (6 days after flowering). GUS activity in all five lines persisted throughout subsequent embryo development.

Leaves, stems, pods and seeds of three regenerated tobacco lines transformed with the pFAE900-GUS construct were also assayed for β-glucuronidase activity. The results obtained indicate that the 934 bp *FAE1* promoter fragment contains sufficient information to direct seed-specific expression of a reporter gene in transgenic tobacco. Thus the transcriptional regulatory regions of the invention may be used for seed-specific expression of foreign genes in transgenic plants.

The *in vivo* activity of a *FAE1* promoter of the invention was compared to the activity of the napin promoter by expressing the castor bean hydroxylase gene *FAH12* (Broun and Somerville, 1997) behind either the *FAE1*-promoter (a transcriptional regulatory region of approximately 1 kb) or the napin promoter in an Arabidopsis *fad2/fae1* double mutant. This mutant accumulates as a proportion of fatty acids about 85% of the 18:1 acyl group, which is the substrate for the hydroxylase. The levels of hydroxylated fatty acids accumulating in a large number of independent transgenic lines were used to estimate the relative strength of

each promoter. As shown in Figure 6, the two populations of transgenic plants accumulated levels of hydroxylated fatty acids, ranging from 0.2% to about 11-12% of total fatty acids, with the levels being on average slightly higher in *FAE1-FAH12* lines. Similarly, the best *FAE1-FAH12* plant accumulated just over 12% of hydroxylated fatty acids (w/w of total FAs), whereas the best *napin-FAH12* plant produced 10.8% of hydroxylated fatty acids (w/w of total FAs). These results indicate that the FAE1 promoter is highly active in transgenic *Arabidopsis* and that its *in vivo* activity may be superior to napin in *Arabidopsis* seeds.

Sequence elements or motifs that confer both tissue specificity and developmental regulation of transcription reside within 393 bp of the AUG translation initiation codon in the *A.t. FAE1* gene. The seed-specific expression conferred by the transcriptional regulatory regions of the invention is independent of the native terminator of the *FAE1* gene 3' end. For example, in the exemplified constructs disclosed herein, a terminator derived from the *Agrobacterium* nopaline synthase gene was used.

Lunaria annua and *Brassica napus FAE1* 5'regulatory regions

Two sequences originating from *B. napus* and *L. annua* were isolated and characterized to demonstrate that regulatory regions conferring seed-specific transcription early in embryo development can also be found upstream of other plant *FAE1* genes. Sequences were cloned using the technique of polymerase chain reaction (PCR) walking on uncloned plant genomic DNA (Devic et al., 1997). Approximately 5 µg of genomic DNA from 1 g of fresh tissue was used for the construction of 5 different libraries by digesting DNA with a series of enzymes that produce blunt end fragments to which special adaptors are ligated. The adaptor molecules consist of a long upper strand, which contains successive sequences common to the adaptor primers, AP1 and AP2, annealed at its 3' end to a shorter strand lacking the AP1 sequence. However, this short strand posseses an amine group at its 3' end to prevent filling in by the DNA polymerses during the first PCR amplification step and generation of the AP1 binding site. This suppression PCR effect prevents exponential amplification of molecules containing the adaptor at each end, and the adaptor primer binding sites are only produced when a strand complementary to the upper strand of the adaptor is synthesized by extension from a gene specific primer. The first PCR reaction is performed using an adaptor primer AP1 and a gene specific primer. An aliquot of the first PCR product is used a template in a second PCR amplification using the nested gene specific primer and AP2.

In order to isolate the regulatory regions upstream of the *B. napus FAE1* coding sequence, genomic DNA was prepared from developing leaves and digested with 5 blunt-end

cutting restriction enzymes (*DraI, EcoRV, HpaI, PvuII and ScaI*) to generate a series of DNA libraries. After ligation of adapter molecules, individual libraries were used as templates in a two step PCR. In the first PCR amplification using the AP1 primer 5'-GGATCCTAATACGACTCACTATAGGGC-3' and the *FAE1* gene specific primer 5'-AAAGAGTGGAGCGATGGTTATGAGG-3' (Bnwalk1), multiple DNA fragments were amplified from all five library templates. After a second round of PCR, using the AP2 primer 5'-CTATAGGGCTCGAGCGGC-3' and the nested *FAE1* specific primer 5'-CGGAAAGAAGCAAAGGTTGAAAAGG-3' (Bnwalk2), the longest single fragment of 1.6 kb was obtained from the *HpaI* library template. This fragment was inserted into the pCR2.1 plasmid (Invitrogen) and sequenced. The sequence is shown in Figure 2.

For the PCR walking experiment to isolate the *L. annua* 5' regulatory region. in adition to the standard AP1 and AP2 primers, the following *FAE1* specific primers were used: 5'-GATCGTTTGTGGTAAGACGAGAGC-3' (Lawalk1) and 5'-GTCAGTGGGAAGAAACAGAGGTTG-3' (Lawalk2). In the first PCR reaction. the *DraI, EcoRV, PvuII, ScaI* and *SspI* library templates were used. In a second PCR amplification the longest single fragment 1.1 kb in length was synthesized using the *EcoRV* library template. This fragment was inserted into the *HincII* site of the pT7T3-18U vector (Promega), sequenced on both strands and analyzed (Figure 3).

Using the sequence data obtained for the 5' regulatory regions generated by PCR walking, specific primers were generated for the amplification of the *L. annua* and *B. napus FAE1* promoter fragments. For the PCR-amplification of *B. napus* promoter fragment the upstream primer was 5'-CTGACTTCACCAAAGAAACAACTCG-3' (BnproFW) in combination with the downstream primer 5'-CGGAATTCCGTTTTTTTTTTTAGGCG-3' (BnproRV). The synthesized fragment was ligated into the *SmaI* site of pGEM-7Zf (Promega), then excised with *XbaI/BamHI* and cloned into the equivalent sites of the pBI101 binary vector (Clontech). *L. annua* 5' regulatory region was amplified using the 5'-CAGCTTAACCGGTAAAATTGGCC-3' (LaproFW) upstream primer together with the 5'-TGTTCAGTTTTGTGTCGGAGAGG-3' (LaproRV) downstream primer and inserted in the *HincII* site of pT7T3-18U (Promega) plasmid. In order to clone the *L. annua* promoter fragment into the pBI101 binary vector, an *XbaI* site was added by subcloning the *PstI/KpnI* fragment released from the pT7T3-18U vector into pBluescript II KS+ (Stratagene). The fragment was then excised and cloned in the *XbaI* site of the pBI101 vector.

The resulting vectors pBnFAE1-GUS and pLaFAE1-GUS in pBI101 were then introduced into *A. tumefaciens* strain GV3101 by heat-shock, and used to transform *Arabidopsis* as described above. Transformants were selected on agar-solidified medium containing kanamycin (50 µg/ml). More than 100 transformants were generated for each construct. The activity of the *L. annua* and *B. napus FAE1* promoters was determined by GUS expression assays on the developing seeds and also on non-reproductive plant tissues as controls. Consistent seed-specific GUS expression was obtained for both promoter constructs in independent transgenic lines. In contrast, there was no detectable GUS activity in leaf, stem and silique samples.

References

The following documents are hereby incorporated by reference:

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WHAT IS CLAIMED IS:

1. A recombinant nucleic acid molecule comprising a heterologous promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence comprises a transcriptional regulatory region capable of mediating seed-specific expression in *Arabidopsis* wherein the transcriptional regulatory region:

   (a) is obtainable from a 5' region of a plant *FAE1* gene; or

   (b) hybridizes under stringent conditions to the 5' region of the plant *FAE1* gene; or

   (c) is at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene.

2. The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

AGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA
ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT
TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA
TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA
CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT
GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT
GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA.

3. The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC
CTAGTTGTGT AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA
AATGACTAGG AGTGGTTCTT GAGACCGATG AGAGATGGGA GCAGAACTAA
AGATGATGAC ATAATTAAGA ACGAATTTGA AAGGCTCTTA GGTTTGAATC
CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG AACCAAAGAA
AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT
CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC
CTGGCTGTGT ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA
ACTAAACTTC CACTCATTAT TTACTGAGGT TAGAGAATAG ACTTGCGAAT

AAACACATTC CCGAGAAATA CTCATGATCC CATAATTAGT CAGAGGGTAT
GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA
ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT
TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA
TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA
CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT
GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT
GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA.

4. The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

CTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT
CTCCTCATAA CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT
TCTCTACATC GCAACCCGGC CCAAACCGGT TTACCTCGTT GAGTACTCAT
GCTACCTTCC ACCAACGCAT TGTAGATCAA GTATCTCCAA GGTCATGGAT
ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG GCACGTGCGA
TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG
AAGACTTTTG CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC
GCTAGAAAAT CTATTCAAGA ACACCAACGT TAACCCTAAA GATATAGGTA
TACTTGTGGT GAACTCAAGC ATGTTTAATC CAACTCCATC GCTCTCCGCG
ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA GCTTTAACCT
TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG
AACATCACTT ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC
AAATTGCTTG TTCCGTGTTG GTGGGGCCGC TATTTTGCTC TCCAACAAGC
CTGGAGATCG TAGACGGTCC AAGTACGAGC TAGTTCACAC GGTTCGAACG
CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC AAGGAGACGA
TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT
CCGTTAAGCG AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT
TTTCAAAGAT AAAATCAAAC ATTACTACGT CCCGGATTTC AAACTTGCTA
TTGACCATTT TTGTATACAT GCCGGAGGCA GAGCCGTGAT TGATGTGCTA
GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT CAAGATCAAC
GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG

CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG
ATTGCTTTAG GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT
AAACAATGTC AAAGCTTCGA CAAATAGTCC TTGGGAACAC TGCATCGACA
GATACCCGGT CAAAATTGAT TCTGATTCAG GTAAGTCAGA GACTCGTGTC
CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC GTTTCTTTTT
ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA
TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC
TCTTATTTAC ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG.

5. The recombinant nucleic acid of claim 1 wherein the 5' region of the plant *FAE1* gene comprises (5' to 3'):

CAGCTTAAC CGGTAAAATT
GGCCTGTACA TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT
TGTTACTCAA TTGGGCTAAG TGTATTATTA TATGTGTTGT ATATAATAAA
GGTAGAACGT AAATTTACTA AGAATGTGTT TTTCCAATGT GATTGCTCTT
TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT TAATTTACTG
GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG
AACGCTTTTT TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA
AAAAGTTCTT AATATTTTCT CTTTGTTTTA ATGGGTTTGT TTTGCATTTT
ATAAGCTTAA TTTTTCTAAT TTAATATTTT ATCTATCATC GTCCGTAAAG
TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA ATTTGGGAAC
TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT
CAATGCTAAC AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT
TCGGATCAGT ATTCTTAAAT AAGAATATAA AACTAATTCA ATAGTTACAG
ATAAAAACTT ATATAGACTT TTTTATTTGG AATATAAAAG TATCAATATA
TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT ATTTTTTATA
TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT
CATCTGACTA CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA
ATACACATGT CTATATAAAT GCATGTAAAA CGTAACGGAC CACAAAAGTG
GATCCATACA AATACATCTC ATCGCACCCT CTCCGACACA AAACTGAACA.

6. The recombinant nucleic acid of claim 1 wherein the promoter sequence is selected from the group consisting of *Arabidopsis thaliana*. *Lunaria annua* and *Brassica napus FAE1* promoter sequences.

7. The recombinant nucleic acid of any one of claims 1 through 6, wherein the transcriptional regulatory region is at least 70% identical when optimally aligned to the 5' region of the plant *FAE1* gene..

8. The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

AGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA
ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT
TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA
TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA
CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT
GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT
GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA.

9. The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC
CTAGTTGTGT AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA
AATGACTAGG AGTGGTTCTT GAGACCGATG AGAGATGGGA GCAGAACTAA
AGATGATGAC ATAATTAAGA ACGAATTTGA AAGGCTCTTA GGTTTGAATC
CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG AACCAAAGAA
AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT
CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC
CTGGCTGTGT ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA
ACTAAACTTC CACTCATTAT TTACTGAGGT TAGAGAATAG ACTTGCGAAT
AAACACATTC CCGAGAAATA CTCATGATCC CATAATTAGT CAGAGGGTAT
GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA
ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT

TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA
TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA
CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT
GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT
GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA.

10. The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

CTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT
CTCCTCATAA CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT
TCTCTACATC GCAACCCGGC CCAAACCGGT TTACCTCGTT GAGTACTCAT
GCTACCTTCC ACCAACGCAT TGTAGATCAA GTATCTCCAA GGTCATGGAT
ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG GCACGTGCGA
TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG
AAGACTTTTG CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC
GCTAGAAAAT CTATTCAAGA ACACCAACGT TAACCCTAAA GATATAGGTA
TACTTGTGGT GAACTCAAGC ATGTTTAATC CAACTCCATC GCTCTCCGCG
ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA GCTTTAACCT
TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG
AACATCACTT ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC
AAATTGCTTG TTCCGTGTTG GTGGGGCCGC TATTTTGCTC TCCAACAAGC
CTGGAGATCG TAGACGGTCC AAGTACGAGC TAGTTCACAC GGTTCGAACG
CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC AAGGAGACGA
TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT
CCGTTAAGCG AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT
TTTCAAAGAT AAAATCAAAC ATTACTACGT CCCGGATTTC AAACTTGCTA
TTGACCATTT TTGTATACAT GCCGGAGGCA GAGCCGTGAT TGATGTGCTA
GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT CAAGATCAAC
GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG
CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG
ATTGCTTTAG GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT
AAACAATGTC AAAGCTTCGA CAAATAGTCC TTGGGAACAC TGCATCGACA

GATACCCGGT CAAAATTGAT TCTGATTCAG GTAAGTCAGA GACTCGTGTC
CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC GTTTCTTTTT
ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA
TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC
TCTTATTTAC ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG.

11. The recombinant nucleic acid of claim 1 wherein the transcriptional regulatory region comprises (5' to 3'):

CAGCTTAAC CGGTAAAATT
GGCCTGTACA TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT
TGTTACTCAA TTGGGCTAAG TGTATTATTA TATGTGTTGT ATATAATAAA
GGTAGAACGT AAATTTACTA AGAATGTGTT TTTCCAATGT GATTGCTCTT
TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT TAATTTACTG
GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG
AACGCTTTTT TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA
AAAAGTTCTT AATATTTTCT CTTTGTTTTA ATGGGTTTGT TTTGCATTTT
ATAAGCTTAA TTTTTCTAAT TTAATATTTT ATCTATCATC GTCCGTAAAG
TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA ATTTGGGAAC
TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT
CAATGCTAAC AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT
TCGGATCAGT ATTCTTAAAT AAGAATATAA AACTAATTCA ATAGTTACAG
ATAAAAACTT ATATAGACTT TTTTATTTGG AATATAAAAG TATCAATATA
TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT ATTTTTTATA
TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT
CATCTGACTA CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA
ATACACATGT CTATATAAAT GCATGTAAAA CGTAACGGAC CACAAAAGTG
GATCCATACA AATACATCTC ATCGCACCCT CTCCGACACA AAACTGAACA.

12. The recombinant nucleic acid of any one of claims 1 through 11 wherein the nucleic acid sequence encodes a translatable mRNA.

13. The recombinant nucleic acid of claim 12 wherein the nucleic acid sequence encodes an enzyme involved in lipid metabolism.

14. The recombinant nucleic acid of any one of claims 1 through 13, further comprising a transcription termination region operably linked to the nucleic acid sequence.

15. A host cell comprising the recombinant nucleic acid of any one of claims 1 through 14.

16. The host cell of claim 15, wherein the host cell is of a dicotyledonous plant species.

17. A plant comprising the recombinant nucleic acid of any one of claims 1 through 14.

18. The plant of claim 17, wherein the plant is of a dicotyledonous plant species.

19. A method of altering the phenotype of a seed comprising:

a) transforming a seed-bearing plant, or a progenitor of the seed-bearing plant, with a vector comprising the nucleic acid of any one of claims 1 through 14;

b) growing the seed-bearing plant to obtain seed under conditions wherein the nucleic acid sequence is expressed during embryogenesis under the control of the transcriptional regulatory region to alter the phenotype of the seed.

20. A method of transforming a plant cell comprising transforming the plant cell with the recombinant nucleic acid of any one of claims 1 through 14.

Figure 1. ***Arabidopsis thaliana FAE1*** **promoter:**
(Length: 934 bp)

```
-950       ACTCA TAAAAACTAG TAGATTGGTT GGTTGGTTTC CATGTACCAG
                                          AtproFW →
-900 AAGGCTTACC CTATTAGTTG AAAGTTGAAA CTTTGTTCCC TACTCAATTC
-850 CTAGTTGTGT AAATGTATGT ATATGTAATG CGTATAAAAC GTAGTACTTA
-800 AATGACTAGG AGTGGTTCTT GAGACCGATG AGAGATGGGA GCAGAACTAA
-750 AGATGATGAC ATAATTAAGA ACGAATTTGA AAGGCTCTTA GGTTTGAATC
-700 CTATTCGAGA ATGTTTTTGT CAAAGATAGT GGCGATTTTG AACCAAAGAA
-650 AACATTTAAA AAATCAGTAT CCGGTTACGT TCATGCAAAT AGAAAGTGGT
-600 CTAGGATCTG ATTGTAATTT TAGACTTAAA GAGTCTCTTA AGATTCAATC
-550 CTGGCTGTGT ACAAAACTAC AAATAATATA TTTTAGACTA TTTGGCCTTA
-500 ACTAAACTTC CACTCATTAT TTACTGAGGT TAGAGAATAG ACTTGCGAAT
-450 AAACACATTC CCGAGAAATA CTCATGATCC CATAATTAGT CAGAGGGTAT
-400 GCCAATCAGA TCTAAGAACA CACATTCCCT CAAATTTTAA TGCACATGTA
-350 ATCATAGTTT AGCACAATTC AAAAATAATG TAGTATTAAA GACAGAAATT
-300 TGTAGACTTT TTTTTGGCGT TAAAGGAAGA CTAAGTTTAT ACGTACATTT
-250 TATTTTAAGT GGAAAACCGA AATTTTCCAT CGAAATATAT GAATTTAGTA
-200 TATATATTTC TGCAATGTAC TATTTTGCTA TTTTGGCAAC TTTCAGTGGA
-150 CTACTACTTT ATTACAATGT GTATGGATGC ATGAGTTTGA GTATACACAT
-100 GTCTAAATGC ATGCTTTGCA AAACGTAACG GACCACAAAA GAGGATCCAT
 -50 GCAAATACAT CTCATAGCTT CCTCCATTAT TTTCCGACAC AAACAGAGCA
                                  ← AtproRV
   1 ATGACGTCCG TTAACGTTAA GCTCCTT
```

Figure 2. ***Brassica napus FAE1*** **promoter:**
(Length: 1588 bp)

```
-1600 GGTTGGGCAA ATCTGACTTC ACCAAAGAAA CAACTCGAGT CGTTATCCAT
                                  BnproFW →
-1550 CTCCTCATAA CCATCGCTCC ACTCTTTGCC TTCACCGTTT TCGGTTCGGT
-1500 TCTCTACATC GCAACCCGGC CCAAACCGGT TTACCTCGTT GAGTACTCAT
-1450 GCTACCTTCC ACCAACGCAT TGTAGATCAA GTATCTCCAA GGTCATGGAT
-1400 ATCTTTTATC AAGTAAGAAA AGCTGATCCT TCTCGGAACG GCACGTGCGA
-1350 TGACTCGTCG TGGCTTGACT TCTTGAGGAA GATTCAAGAA CGTTCAGGTC
-1300 TAGGCGATGA AACTCACGGG CCCGAGGGGC TGCTTCAGGT CCCTCCCCGG
-1250 AAGACTTTTG CGGCGGCGCG TGAAGAGACG GAGCAAGTTA TCATTGGTGC
-1200 GCTAGAAAAT CTATTCAAGA ACACCAACGT TAACCCTAAA GATATAGGTA
-1150 TACTTGTGGT GAACTCAAGC ATGTTTAATC CAACTCCATC GCTCTCCGCG
-1100 ATGGTCGTTA ACACTTTCAA GCTCCGAAGC AACGTAAGAA GCTTTAACCT
-1050 TGGTGGCATG GGTTGTAGTG CCGGCGTTAT AGCCATTGAT CTAGCAAAGG
-1000 ACTTGTTGCA TGTCCATAAA AATACGTATG CTCTTGTGGT GAGCACAGAG
 -950 AACATCACTT ATAACATTTA CGCTGGTGAT AATAGGTCCA TGATGGTTTC
 -900 AAATTGCTTG TTCCGTGTTG GTGGGGCCGC TATTTTGCTC TCCAACAAGC
 -850 CTGGAGATCG TAGACGGTCC AAGTACGAGC TAGTTCACAC GGTTCGAACG
 -800 CATACCGGAG CTGACGACAA GTCTTTTCGT TGCGTGCAAC AAGGAGACGA
 -750 TGAGAACGGC AAAATCGGAG TGAGTTTGTC CAAGGACATA ACCGATGTTG
 -700 CTGGTCGAAC GGTTAAGAAA AACATAGCAA CGTTGGGTCC GTTGATTCTT
 -650 CCGTTAAGCG AGAAACTTCT TTTTTTCGTT ACCTTCATGG GCAAGAAACT
 -600 TTTCAAAGAT AAAATCAAAC ATTACTACGT CCCGGATTTC AAACTTGCTA
 -550 TTGACCATTT TTGTATACAT GCCGGAGGCA GAGCCGTGAT TGATGTGCTA
 -500 GAGAAGAACC TAGCCCTAGC ACCGATCGAT GTAGAGGCAT CAAGATCAAC
```

Figure 2 Continued ***Brassica napus FAE1*** **promoter:**

```
-450 GTTACATAGA TTTGGAAACA CTTCATCTAG CTCAATATGG TATGAGTTGG

-400 CATACATAGA AGCAAAAGGA AGGATGAAGA AAGGTAATAA AGTTTGGCAG

-350 ATTGCTTTAG GGTCAGGCTT TAAGTGTAAC AGTGCAGTTT GGGTGGCTCT

-300 AAACAATGTC AAAGCTTCGA CAAATAGTCC TTGGGAACAC TGCATCGACA

-250 GATACCCGGT CAAAATTGAT TCTGATTCAG GTAAGTCAGA GACTCGTGTC

-200 CAAAACGGTC GGTCCTAATA AACGATGTTT GCTCTCTTTC GTTTCTTTTT

-150 ATTTGTTATA ATAATTTGAT GGCTACGATG TTTCTCTTGT TTGTTATGAA

-100 TAAAGAATGC AATGGTGTTC TAGTATTTGA TTGTTTTACA TGTATGTATC

 -50 TCTTATTTAC ATGAAATTTT TAAACGCCTA AAAAAAAAAA CGGAATTCCG
                                  ← BnproRV
   1 ATGACGTCCA TTAACGTAAA GCTCCTTTAC CATTACGTCA TAACCAACCT

  51 TTTCAACCTT TGCTTCTTTC CGTTAACGGC GATCGTCGCC GGAAAAGCCT
       ← Bnwalk2
 101 ATCGGCTTAC CATAGACGAT CTTCACCACT TATACTATTC CTATCTCCAA

 151 CACAACCTCA TAACCATCGC TCCACTCTTT GCCTTCACCG
          ← Bnwalk1
```

Figure 3. ***Lunaria annua FAE1*** **promoter:**
(Length: 1069 bp)

```
-1100                      CG CCGGGGAGTT TCAGCTTAAC CGGTAAAATT
                                                  LaproFW →
-1050 GGCCTGTACA TATATTTACC ACTGAGTAAA GACATCAGTT AATGATTTGT
-1000 TGTTACTCAA TTGGGCTAAG TGTATTATTA TATGTGTTGT ATATAATAAA
 -950 GGTAGAACGT AAATTTACTA AGAATGTGTT TTTCCAATGT GATTGCTCTT
 -900 TGGCCTCTTA GGTTTGAATC CTACTCGAGA AGACTAATTT TAATTTACTG
 -850 GCAAAAATAG AAATCAATTT ATAAGTGTTT AAACAAATCG ATGGTATAAC
 -800 TGATTAGTGA TCACTCTTAG GTTTTGATCC AACTCGAGTA TTGAGTATTG
 -750 AACGCTTTTT TTAAATAAAA TCTTGATTTT TAAATTGGTT TTTTGAGTAA
 -700 AAAAGTTCTT AATATTTTCT CTTTGTTTTA ATGGGTTTGT TTTGCATTTT
 -650 ATAAGCTTAA TTTTTCTAAT TTAATATTTT ATCTATCATC GTCCGTAAAG
 -600 TTTTATTTGG CACAAACTTG TTTTACTTTT CTACCTTATA ATTTGGGAAC
 -550 TGGTTGAGTC AAAGCGTACC GGACAAATAT GTTTTATATT CTTATTTAAG
 -500 AATTAACACT CATCTCATAA TTAGTCAGAG GCTAGGGAGA TTCAGCCAAT
 -450 CAATGCTAAC AACAAAATTC TCTTAATGAT CTAACGATGC TATTTAATAT
 -400 TCGGATCAGT ATTCTTAAAT AAGAATATAA AACTAATTCA ATAGTTACAG
 -350 ATAAAAACTT ATATAGACTT TTTTATTTGG AATATAAAAG TATCAATATA
 -300 TTATAGACAA TATTTATAAC GTTAAAAATA CAATATTTAT ATTTTTTATA
 -250 TATTTATTTC AAATTGAAAA GCATTACTTC TATCGAAATG AATTTTAGTA
 -200 TATTAATTAA TATTTTTTTA ATCGGACTAC TTTCCTATTT TGGCACCTTT
 -150 CATCTGACTA CTAATTTATT TCAATGTGTA TGCATGCATG AGCATGAGTA
```

Figure 3 Continued. ***Lunaria annua FAE1*** **promoter:**

```
-100 ATACACATGT CTATATAAAT GCATGTAAAA CGTAACGGAC CACAAAAGTG

 -50 GATCCATACA AATACATCTC ATCGCACCCT CTCCGACACA AAACTGAACA
                                    ← LaproRV
   1 ATGACGTCTG TGAACGTAAA ACTCCTTTAC CATTACGTCA TAACCAACTT

  51 TTTCAACCTC TGTTTCTTCC CACTGACGGG GATCCTCGCC GGAAAAGGCT
           ← Lawalk2
 101 CTCGTCTTAC CACAAACGAT CTCCACCA
      ← Lawalk1
```

Figure 4: Alignment of *A.t.*, *L.a.* and *B.n. FAE1* promoters

```
CLUSTAL W (1.74) multiple sequence alignment

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        GGTTGGGCAAATCTGACTTCACCAAAGAAACAACTCGAGTCGTTATCCATCTCCTCATAA

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        CCATCGCTCCACTCTTTGCCTTCACCGTTTTCGGTTCGGTTCTCTACATCGCAACCCGGC

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        CCAAACCGGTTTACCTCGTTGAGTACTCATGCTACCTTCCACCAACGCATTGTAGATCAA

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        GTATCTCCAAGGTCATGGATATCTTTTATCAAGTAAGAAAAGCTGATCCTTCTCGGAACG

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        GCACGTGCGATGACTCGTCGTGGCTTGACTTCTTGAGGAAGATTCAAGAACGTTCAGGTC

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        TAGGCGATGAAACTCACGGGCCCGAGGGGCTGCTTCAGGTCCCTCCCCGGAAGACTTTTG

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        CGGCGGCGCGTGAAGAGACGGAGCAAGTTATCATTGGTGCGCTAGAAAATCTATTCAAGA

A.t.        ------------------------------------------------------------
L.a.        ------------------------------------------------------------
B.n.        ACACCAACGTTAACCCTAAAGATATAGGTATACTTGTGGTGAACTCAAGCATGTTTAATC

A.t.        ------------------------------------------------------------
L.a.        ----------------------------------------CGCCGGGGAGTTTCAGCTTAA
B.n.        CAACTCCATCGCTCTCCGCGATGGTCGTTAACACTTTCAAGCTCCGAAGCAACGTAAGAA
                                                     **   * **   *     **
Con. 4                                               NNNNNNNNNNNNNNNNNNNN

A.t.        ------------------------------ACTCATAAAAACTAGTAGAT--TGGTTGG
L.a.        CCGGTAAAATTGGCCTGTACATATATTTACCACTGAGTAAAGACATCAGTTAATGATTTG
B.n.        GCTTTAACCTTGGTGGCATGGGTTGTAGTGCCGGCGTTATAGCCATTGATCTAGCAAAGG
             *  ***  ****          * *    *       * *   *       *      *
Con. 4      NNNNNNNNNNNNNNNNNNNNNNNNNNNNNNNNMSKSRKWTWARMYCKYRRWYNNKSRWWKG
```

Figure 4 Continued: Alignment of *A.t.*, *L.a.* and *B.n. FAE1* promoters

```
A.t.    TTGGTTTCCA--TGTACCAGAAGGCTTACCCTAT-TAGTTGAAAGTTGAAACTTTGTTCC
L.a.    TTGTTACTCAATTGGGCTAAGTGTATTATTATAT-GTGTTGTATATAATAAAGGTAGAAC
B.n.    ACTTGTTGCATGTCCATAAAAATACGTATGCTCTTGTGGTGAGCACAGAGAACATCACTT
Con.4   WYKKKWYBCANNTSBRYHARRWKDMKTAYBMTMTNKWGKTGWRHRYWRWRAMBDTVDHHY

A.t.    CTACTCAATTCCTAGTTGTGTAAATGT---ATGTATATGTAAT---GCGTATAAAACGTA
L.a.    GTAA--ATTTACTAAGAATGTGTTTTTCCAATGTGATTGCTCTTTGGCCTCTTAGGTTTG
B.n.    ATAA-CATTTACGCTGGTGATAATAGGTCCATGATGGTTTCAAATTGCTTGTTCCGTGTT
Con.4   VTAMNNAWTTMCMMDKDDKRTRWWWKKNNNATGWDDDTKYHMWNNNGCBTVTWMVRYKTD

A.t.    GTACTTAAATGACTAGGAGTGGTTCTTGAGACCGATGAGAGATGGGAG-CAGAACTAAAG
L.a.    AATCCTACTCGAGAAG-ACTAATTTTAATTTACTGGCAAAAATAGAAA-TCAATTTATAA
B.n.    GGTGGGGC-CGCTATTTTGCTCTCCAACAAGCCTGGAGATCGTAGACGGTCCAAGTACGA
Con.4   RDWSBKRMNYGMBWWKNWSYDVTYYWWVWDDMCKRKVRRWVRTRGRMRNYMVAWBTAHRR

A.t.    AT--GATGACATAATTA------AGAACGAATTTGA-AAGG-CTCTTAGGTTTGAATCCT
L.a.    GT--GTTTAAACAAATCGATGGTATAACTGATTAGT-GATCACTCTTAGGTTTTGATCCA
B.n.    GCTAGTTCACACGGTTCGAACGCATACCGGAGCTGACGACAAGTCTTTTCGTTGCGTGCA
Con.4   RYNNGWTBAMAYRRWTMNNNNNNNAKAMCKRAKYWGWNRABVNSTCTTWKSKTTKVRTSCW

A.t.    ATTCGAGAATGTTTTTGTCAAAGATAGTGGCGATTTTGAACCAAAGAAAACATTTAAA-A
L.a.    ACTCGAGTATTGAGTATTGAACGCTT-------TTTTTAAATAAAATCTTGATTTTTA-A
B.n.    A--CAAGGA-GACGATGAGAACGGCAA-----AATCGGAGTGAGTTTGTCCAAGGACATA
Con.4   ANNCRAGDANKDHKWWKWSAAMGVYWNNNNNNNNWTYKKARHBARWDWVWHSAWKKWHANA

A.t.    AATCAGTATCCGGTTAC----GTTCATGCAAATAGAAAGTGGTCTA---GGATCTGATT-
L.a.    ATTGGTTTTTTGAGTAAAAAAGTTCTTAATATTTTCTCTTTGTTTTAATGGGTTTGTTT-
B.n.    ACCGATGTTGCTGGTCGAACGGTTAAGAAAAACATAGCAACGTT-----GGGTCCGTTGA
Con.4   AHYSRKKWTBYKRKTMVNNNNGTTMWKRMWAWYWKMDMDWBGTYNNNNNGGRTYYGWTKN


A.t.    GTAATTTTAGA--CTTAAAGAGTCTC--TTAAGATTCAATCCTGGCT-GTGTACAAAACT
L.a.    TGCATTTTATAAGCTTAATTTTTCTAATTTAATATTTTATCTATCATCGTCCGTAAAGTT
B.n.    TTCTTCCGTTAAGCGAGAAACTTCTT--TTTTTCGTTA--CCTTCATGGGCAAGAAACTT
Con.4   KKMWTYYKWKANNCKWRAWDHKTCTHNNTTWWKMKTYWNNCYWKSMTNGKSHRBAAAVYT

A.t.    ACAAATAATATA----TTTTAGACTATTTGGCCTTAACTAAACTTCCA-CTCATTATTTA
L.a.    TTATTTGGCACAAACTTGTTTTACTTTTCTACCTTA--TAATTTGGGAACTGGTTGAGT-
B.n.    TTCAAAGATAAAATCAAACATTACTACGTCCCGGATTTCAAACTTGCTATTGACCATTTT
Con.4   WYMWWWRRYAHANNNNWDYWWKACTWYKYBVCSKWWNNYAAWYTKSSWNYTSRYYRWKTN

A.t.    -CTGAGGTTAGAGAA--TAGACTTGCGAATAAACACATTCCCGAGAAATACTCATGATCC
L.a.    -CAAAGCGTACCGGA--CAAATATGTTT-TATATTCTTATTTAAGAATTAACACTCATCT
B.n.    TGTATACATGCCGGAGGCAGAGCCGTGATTGATGTGCTAGAGAAGAACCTAGCCCTAGCA
Con.4   NSWRWRSDTRSMGRANNYARABHYGYKWNTRWWBWSHTWBHBRAGAAHYWMBMMYBAKCH
```

Figure 4 Continued: Alignment of *A.t.*, *L.a.* and *B.n. FAE1* promoters

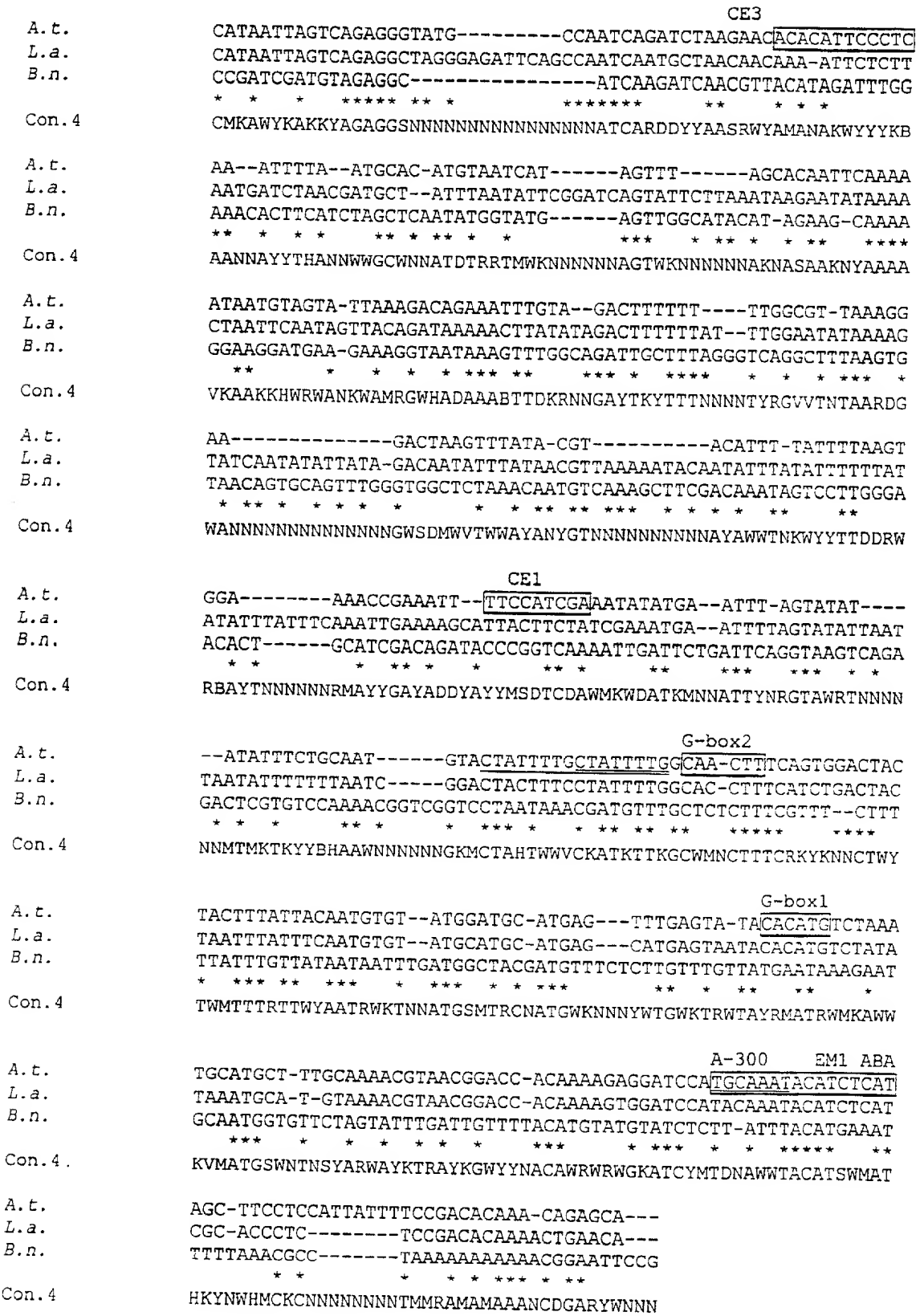


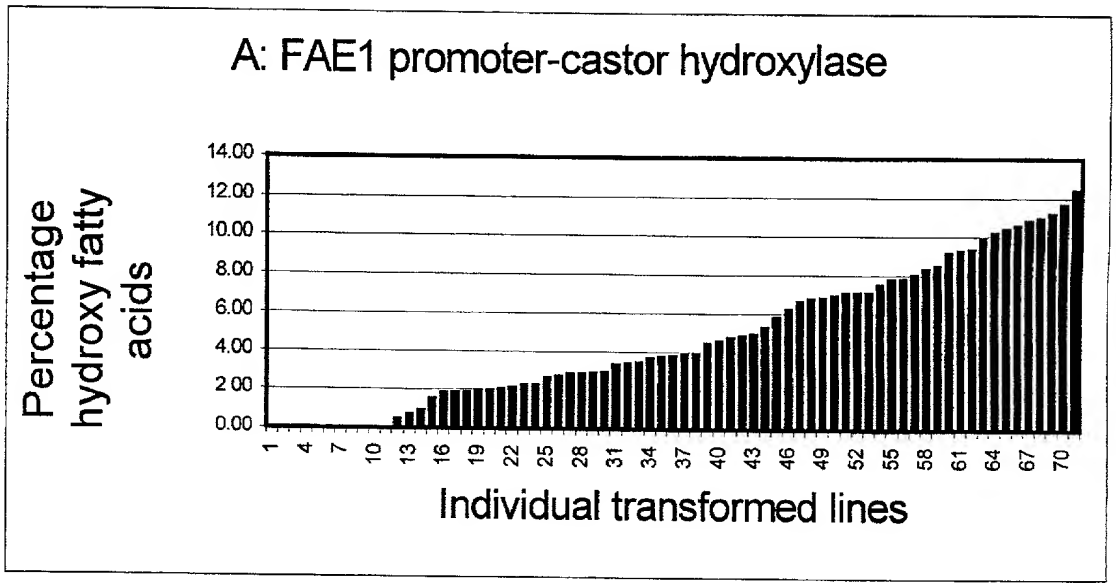
Figure 5: Alignment of *A.t.* and *L.a. FAE1* promoters
CLUSTAL W (1.74) multiple sequence alignment

```
A.t.            ----------------------------------------------------ACTCATAA
L.a.            CGCCGGGGAGTTTCAGCTTAACCGGTAAAATTGGCCTGTACATATATTTACCACTGAGTA
                                                                    *** * *
Con.5                                                               ACTSAKWA

A.t.            AAACTAGTAGAT--TGGTTGGTTGGTTTCCA--TGTACCAGAAGGCTTACCCTATTAGTT
L.a.            AAGACATCAGTTAATGATTTGTTGTTACTCAATTGGGCTAAGTGTATTATTATATGTGTT
                **   * ** * ** ** **** *  ** ** * *  * *** *** ***
Con.5           AARMYAKYAGWTNNTGRTTKGTTGKTWYYCANNTGKRCYARRWGKMTTAYYMTATKWGTT

A.t.            GAAAGTTGAAACTTTGTTCCCTACTCAATTCCTAGTTGTGTAAATGT---ATGTATATGT
L.a.            GTATATAATAAAGGTAGAACGTAA--ATTTACTAAGAATGTGTTTTTCCAATGTGATTGC
                * * *  **  *  * **  * ** *** ***  * *  **** **
Con.5           GWAWRTWRWAAMKKTRKWMCSTAMNNAWTTMCTARKWRTGTRWWTKTNNNATGTRWWTGY

A.t.            AAT---GCGTATAAAACGTAGTACTTAAATGACTAGGAGTGGTTCTTGAGACCGATGAGA
L.a.            TCTTTGGCCTCTTAGGTTTGAATCCTACTCGAGAAG-ACTAATTTTAATTTACTGGCAAA
                  *  ** * * *  *  * **  ** ** * *  ** *  *  * *
Con.5           WMTNNNGCSTMTWARRYKTRRWWCYTAMWYGASWAGNASTRRTTYTWRWKWMCKRKSARA

A.t.            GATGGGAGCAGAACTAAAGATGATGACATAATTA------AGAACGAATTTGAAAGG-CT
L.a.            AATAGAAATCAATTTATAAGTGTTTAAACAAATCGATGGTATAACTGATTAGTGATCACT
                ** * *  * ** * ** * * * ** *  * *** *** * *  **
Con.5           RATRGRARYMRAWYTAWARRTGWTKAMAYAAWTMNNNNNNAKAACKRATTWGWRAKSNCT

A.t.            CTTAGGTTTGAATCCTATTCGAGAATGTTTTTGTCAAAGATAGTGGCGATTTTGAACCAA
L.a.            CTTAGGTTTTGATCCAACTCGAGTATTGAGTATTGAACGCTT-------TTTTAAATAA
                ********* **** * ***** **  * * ** * *  **** ** **
Con.5           CTTAGGTTTKRATCCWAYTCGAGWATKKWKTWKTSAAMGMTWNNNNNNNTTTTKAAMYAA

A.t.            AGAAAACATTTAAAAAATCAGTATCCGGTTAC----GTTCATGCAAATAGAAAGTGGTCT
L.a.            AATCTTGATTTTTAAATTGGTTTTTTGAGTAAAAAAGTTCTTAATATTTTCTCTTTGTTT
                *  **** *** *  * *  *  **  **** *  * *  * ** *
Con.5           ARWMWWSATTTWWAAAWTSRKTWTYYGRKTAMNNNNGTTCWTRMWAWTWKMWMKTKGTTT

A.t.            A---GGATCTGATTGTAATTTTAGA--CTTAAAGAGTCTC--TTAAGATTCAATCCTGGC
L.a.            TAATGGGTTTGTTTTGCATTTTATAAGCTTAATTTTTCTAATTTAATATTTTATCTATCA
                   ** * ** **  ****** *  ***** ***  **** *** ***
Con.5           WNNNGGRTYTGWTTKKMATTTTAKANNCTTAAWKWKTCTMNNTTAAKATTYWATCYWKSM

A.t.            T-GTGTACAAAACTACAAATAATATA----TTTTAGACTATTTGGCCTTAACTAAACTTC
L.a.            TCGTCCGTAAAGTTTTATTTGGCACAAACTTGTTTTACTTTTCTACCTTA--TAATTTGG
                * **  *** * * * * * *  * ** *** **  ***** *** *
Con.5           TNGTSYRYAAARYTWYAWWTRRYAYANNNNTKTTWKACTWTTYKRCCTTANNTAAWYTKS

A.t.            CA-CTCATTATTTACTGAGGTTAGAGAATAGACTTGCGAATAAACACATTCCCGAGAAAT
L.a.            GAACTGGTTGAGT-CAAAGCGTACCGGACAAATATGTTT-TATATTCTTATTTAAGAATT
                 * **  **  * * **  **  * * * * *  **  ** * * *  **** *
Con.5           SANCTSRTTRWKTNCWRAGSKTASMGRAYARAYWTGYKWNTAWAYWCWTWYYYRAGAAWT

                                                        -400
A.t.    -432    ACTCATGATCCCATAATTAGTCAGAGGGTATG---------CCAATCAGATCTAAGAACA
L.a.            AACACTCATCTCATAATTAGTCAGAGGCTAGGGAGATTCAGCCAATCAATGCTAACAACA
                *  * *** ********** ** *  *******  **** ****
Con.5           AMYMMTSATCYCATAATTAGTCAGAGGSTAKGNNNNNNNNNCCAATCARWKCTAASAACA
```

Figure 5 Continued: Alignment of *A.t.* and *L.a. FAE1* promoters

```
A.t.    -381    CACATTCCCTCAA--ATTTTA--ATGCACATGTAATCAT------AGTTT------AGCA
L.a.            AA-ATTCTCTTAATGATCTAACGATGCT-ATTTAATATTCGGATCAGTATTCTTAAATAA
                 * **** ** **  ** * *  ****  ** ****  *       *** *      * *
Con.5           MANATTCYCTYAANNATYTWANNATGCWNATKTAATMWTNNNNNNNAGTWTNNNNNNAKMA

A.t.    -337    CAATTCAAAAATAATGTAGTA-TTAAAGACAGAAATTTGTA--GACTTTTTT--TTGGCG
L.a.            GAATATAAAACTAATTCAATAGTTACAGATAAAAACTTATATAGACTTTTTTATTTGGAA
                 ***  **** ****  * ** *** *** * *** ** **  ********* ****
Con.5           SAATWYAAAAMTAATKYARTANTTAMAGAYARAAAYTTRTANNGACTTTTTTNNTTGGMR

A.t.    -282    T-TAAAGGAA-------------GACTAAGTTTATA-CGT----------ACATTT-TAT
L.a.            TATAAAAGTATCAATATATTATAGACAATATTTATAACGTTAAAAATACAATATTTATAT
                * **** * *                *** *  ****** ***          * **** ***
Con.5           TNTAAARGWANNNNNNNNNNNNNNGACWAWRTTTATANCGTNNNNNNNNNNAYATTTNTAT

A.t.    -247    TTTAAGTGGA--------AAACCGAAATT--TTCCATCGAAATATATGAATTT-AGTATA
L.a.            TTTTTATATATTTATTTCAAATTGAAAAGCATTACTTCTATCGAAATGAATTTTAGTATA
                ***   *  *         ***  ****    ** * ** *   * ******** ******
Con.5           TTTWWRTRKANNNNNNNNAAAYYGAAAWKNNTTMCWTCKAWMKAWATGAATTTNAGTATA

A.t.    -198    T------ATATTTCTGCAAT-GTACTATTTTGCTATTTTGGCAACTTTCAGTGGACTACT
L.a.            TTAATTAATATTTTTTTAATCGGACTACTTTCCTATTTTGGCACCTTTCATCTGACTACT
                *       ****** *  *** * **** *** ********** ******   *******
Con.5           TNNNNNNATATTTYTKYAATNGKACTAYTTTSCTATTTTGGCAMCTTTCAKYKGACTACT

A.t.    -145    ACTTTATTACAATGTGTATGGATGCATGAGTTTGAGTA-TACACATGTCTAAATGCATGC
L.a.            AATTTATTTCAATGTGTATGCATGCATGAGCATGAGTAATACACATGTCTATATAAATGC
                * ****** ********** *********  ****** ************ **  ****
Con.5           AMTTTATTWCAATGTGTATGSATGCATGAGYWTGAGTANTACACATGTCTAWATRMATGC

A.t.    -86     TTTGCAAAACGTAACGGACCACAAAAGAGGATCCATGCAAATACATCTCATAGCTTCCTC
L.a.            AT-GTAAAACGTAACGGACCACAAAAGTGGATCCATACAAATACATCTCATCGCACCCTC
                 * * ********************** ******** ************** **  ****
Con.5           WTNGYAAAACGTAACGGACCACAAAAGWGGATCCATRCAAATACATCTCATMGCWYCCTC

A.t.    -26     CATTATTTTCCGACACAAA-CAGAGCA
L.a.            --------TCCGACACAAAACTGAACA
                        ********** * ** **
Con.5           NNNNNNNNTCCGACACAAANCWGARCA
```

Figure 6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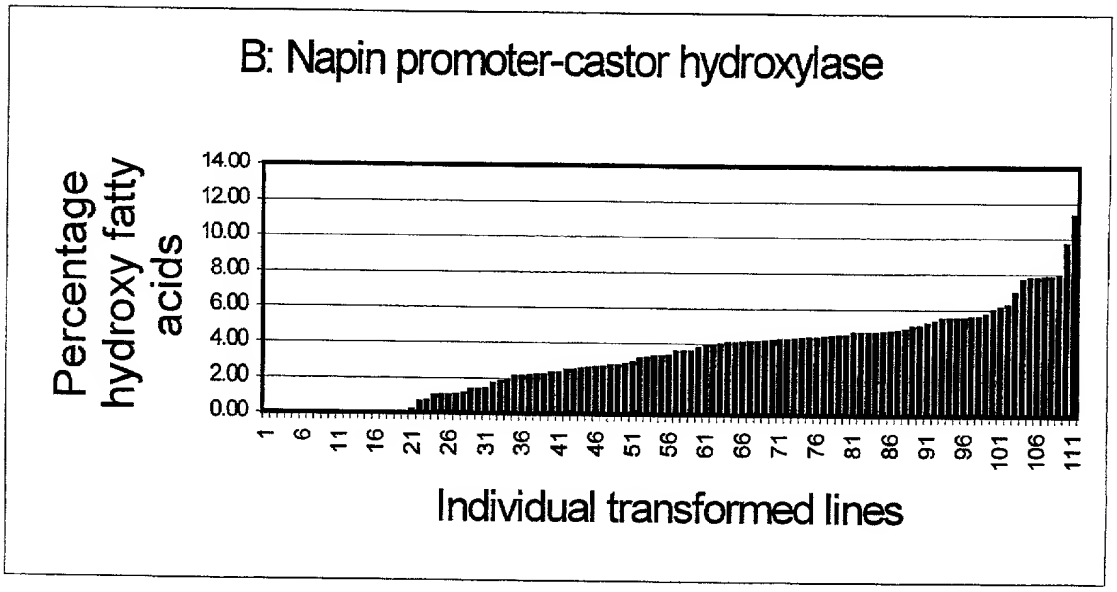
Percentage hydroxy fatty acids
14.00
12.00
10.00
8.00
6.00
4.00
2.00
0.00
1 4 7 10 13 16 19 22 25 28 31 34 37 40 43 46 49 52 55 58 61 64 67 70
Individual transformed lines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Percentage hydroxy fatty acids
14.00
12.00
10.00
8.00
6.00
4.00
2.00
0.00
1 6 11 16 21 26 31 36 41 46 51 56 61 66 71 76 81 86 91 96 101 106 111
Individual transformed lines

Figure 7: Alignment of *B.n.* and *L.a. FAE1* promoters

```
CLUSTAL W (1.81) multiple sequence alignment

BnFAE1          GGTTGGGCAAATCTGACTTCACCAAAGAAACAACTCGAGTCGTTATCCATCTCCTCATAA 60
LaFAE1          ------------------------------------------------------------

BnFAE1          CCATCGCTCCACTCTTTGCCTTCACCGTTTTCGGTTCGGTTCTCTACATCGCAACCCGGC 120
LaFAE1          ------------------------------------------------------------

BnFAE1          CCAAACCGGTTTACCTCGTTGAGTACTCATGCTACCTTCCACCAACGCATTGTAGATCAA 180
LaFAE1          ------------CGCCGGGGAGT-TTCAGCTTAACCGGTAAAATTGGCCTGTACATATA 46

BnFAE1          GTATCTCCAAGGTCATGGATATCTTTTATCAAGTAAGAAAAGCTGATCCTTCTCGGAACG 240
LaFAE1          TTTACCACTGAGT-AAAGACATCAGTTAATGATTT------GTTGTTACTCAATTGGGCT 99

BnFAE1          GCACGTGCGATGACTCGTCGTGGCTTGACTTCTTGAGGAAGATTCAAGAACGTTCAGGTC 300
LaFAE1          AAGTGTATTATTATATGTGTTG-------TATATAATAAAGGT---AGAACGT--AAATT 147

BnFAE1          TAGGCGATGAAACTCACGGGCCCGAGGGGCTGCTTCAGGTCCCTCCCCGGAAGACTTTTG 360
LaFAE1          TA--CTAAGAATGTGTTTTTCCAATGTGATTGCTCTTTGGCCTCTTAGGTTTGAATCCTA 205

BnFAE1          CGGCGGCGCGTGAAGAGACGGAGCAAGTTATCATTGGTGCGCTAGAAAATCTATTCAAGA 420
LaFAE1          CT--------CGAGAAGACTAATTTTAAT-TTACTGGCAAAAATAGAAATCAATTTATAA 256

BnFAE1          ACACCAACGTTAACCCTAAAGATATAGGTATACTTGTGGTGAACTCAAGCATGTTTAATC 480
LaFAE1          GTGTTTAAACAAATC--GATGGTATAACTG-ATTAGTGATCACTCTTAGGTT--TTGATC 311

BnFAE1          CAACTCCATCGCTCTCCGCGATGGTCGTTAACACTTTCAAGCTCCGAAGCAACGTAAGAA 540
LaFAE1          CAACTCGAGTATTG--------AGTATTGAACGCTTT-----TTTTAAATAAAATCTTGA 358

BnFAE1          GCTTTAACCTTGGTGGCATGGGTTGTAGTGCCGGCGTTATAGCCATTGATCTAGCAAAGG 600
LaFAE1          TTTTTAAA-TTGGTTTTTTGAGTAAAAAAGTTCTTAATATTTTCTCTT-TGTTTTAATGG 416

BnFAE1          ACTTGTTGCATGTCC-ATAAAAATACGTATGCTCTTGTGGTGAGCACAGAGAACATCACT 659
LaFAE1          GTTTGTTTTGCATTTTATAAGCTTAATTTTTCTAATTTAAT-ATTTTATCTATCATCGTC 475

BnFAE1          TATAACATTTACGCTGGTGATAATAGGTCCATGATGGTTTCAAATTGCTTGTTCCGTGTT 719
LaFAE1          CGTAAAGTTT----------TATTTGGCACAAACTTGTTTTA---CTTTTCTACCTTATA 522

BnFAE1          GGTGGGGCCGCTATTTTGCTCTCCAACAAGCCTGGAGATCGTAGACGGTCCAAGTACGAG 779
LaFAE1          ATTTGGGA-ACTGGTTGAGTCA-----AAGCGTACCGGACAAATATGTTTTATATTC--- 573

BnFAE1          CTAGTTCACACGGTTCGAACGCATACCGGAGCTGACGACAAGTCTTTTCGTTGCGTGCAA 839
LaFAE1          -TTATTTA-AGAATTAACACTCATCTCATAATTAGTCAGAGGC-------TAGGGAGATT 624

BnFAE1          CAAGGAGACGATGAGAACGGCAAAATCGGAGTGAGTTTGTCCAAGGACATAACCGATGTT 899
LaFAE1          CAGCCAATCAATGCTAACAACAAAATTCTCTTAA--TGATCTAACGATGCTATTTAATAT 682
```

Figure 7 Continued: Alignment of *B.n.* and *L.a. FAE1* promoters

```
BnFAE1          GCTGGTCGAACGGTTAAGAAAAACATAGCAACGTTGGGTCCGTTGATTCTTCCGTTA-AG 958
LaFAE1          TCGGATCAGTATTCTTAAATAAGAATATAAA----------ACTAATTCAATAGTTACAG 732
                 * * **       * * * **  ***  **           * ****    **** **

BnFAE1          CGAGAAACTTCTTTTTTTCGTTACCTTCATGGGCAAGAAACTTTTCAAAGATAAAATCAA 1018
LaFAE1          ATAAAAACTTATATAGACTTTTTTATTTG-GAATATAAAAGTATCAATATATTATAGACA 791
                  * ****** * *      **   **   *   *  *** * *  * * ** * *   *

BnFAE1          ACATTACTACGTCCCGGATTTCAAACTTGCTATTGACCATTTTTGTATACATGCCGGAGG 1078
LaFAE1          ATATTTATA------ACGTTAAAAATACAATATTTATATTTTTTATATATTTATTTCAAA 845
                * ***  **         **  ***     **** *   ***** ****  *     *

BnFAE1          CAGAGCCGTGATTGATGTGCTAGAGAAGAACCTAGCCCTAGCACCGATCGATGTAGAGGC 1138
LaFAE1          TTGAAAAGCATTACTTCTATCGAAATGAATTTTAGT----ATATTAATTAATATTTTTTT 901
                  **   *   *   * *     *    *   ***       *   **  ** *

BnFAE1          ATCAAGATCAACGTTACATAGATTTGGAAACACTTCATCTAGCTCAATATGGTATGAGTT 1198
LaFAE1          AATCGGACTACTTTCCTAT----TTTGGCACCTTTCATCTGACT-------------ACT 944
                *    **  *   *   **    ** *  **  *******  **              *

BnFAE1          GGCATACATAGAAGCAAAAGGAAGGATGAAGAAAGGTAATAAAGTTTGGCAGATTGCTTT 1258
LaFAE1          AATTTATTTCAATGTGTATGCATGCATGAGCATGAGTAATA--------CACATGTCTAT 996
                    **  *  * *   * * * * ****  *   ******        ** **  ** *

BnFAE1          AGGGTCAGGCTTTAAGTGTAACAGTGCAGTTTGGGTGGCTCTAAACAATGTCAAAGCTTC 1318
LaFAE1          ATAAATGCATGTAAAACGTAACGG-ACCACAAAAGTGGATCCATACAAATACATCTCATC 1055
                *          * **  ***** *  *       **** ** * ****   **   * **

BnFAE1          GACAAATAGTCCTTGGGAACACTGCATCGACAGATACCCGGTCAAAATTGATTCTGATTC 1378
LaFAE1          G-CACCCTCTCCGACACAAAACTGAACA------------------------------ 1082
                * **      ***     ** **** *

BnFAE1          AGGTAAGTCAGAGACTCGTGTCCAAAACGGTCGGTCCTAATAAACGATGTTTGCTCTCTT 1438
LaFAE1          ------------------------------------------------------------

BnFAE1          TCGTTTCTTTTTATTTGTTATAATAATTTGATGGCTACGATGTTTCTCTTGTTTGTTATG 1498
LaFAE1          ------------------------------------------------------------

BnFAE1          AATAAAGAATGCAATGGTGTTCTAGTATTTGATTGTTTTACATGTATGTATCTCTTATTT 1558
LaFAE1          ------------------------------------------------------------

BnFAE1          ACATGAAATTTTTAAACGCCTAAAAAAAAAAAACGGAATTCCG 1600
LaFAE1          -------------------------------------------
```

Figure 8: Alignment of *B.n.* and *A.t. FAE1* promoters

```
CLUSTAL W (1.81) multiple sequence alignment

AtFAE1          ------------------------------------------------------------
BnFAE1          GGTTGGGCAAATCTGACTTCACCAAAGAAACAACTCGAGTCGTTATCCATCTCCTCATAA 60

AtFAE1          ------------------------------------------------------------
BnFAE1          CCATCGCTCCACTCTTTGCCTTCACCGTTTTCGGTTCGGTTCTCTACATCGCAACCCGGC 120

AtFAE1          ------------------------------------------------------------
BnFAE1          CCAAACCGGTTTACCTCGTTGAGTACTCATGCTACCTTCCACCAACGCATTGTAGATCAA 180

AtFAE1          ----------------------------------------------------ACTCATAAAA 10
BnFAE1          GTATCTCCAAGGTCATGGATATCTTTTATCAAGTAAGAAAAGCTGATCCTTCTCGGAACG 240
                                                                   ***  **

AtFAE1          ACTAGTAGATTGGTTGGT--TGGTTTCCATGTACCAGAAGGCTT-----ACCCTATTAGT 63
BnFAE1          GCACGTGCGATGACTCGTCGTGGCTTGACTTCTTGAGGAAGATTCAAGAACGTTCAGGTC 300
                 *  **    **  * **  *** **   *     ** * * **     **  *

AtFAE1          TGAAAGTTGAAACTT-TGTTCCCTACT--CAATTCCTAGTTGTGTAAATGTATGTATATG 120
BnFAE1          TAGGCGATGAAACTCACGGGCCCGAGGGGCTGCTTCAGGTCCCTCCCCGGAAGACTTTTG 360
                *    * *******   *  *** *    *   * *  **         * *    * **

AtFAE1          TAATG-CGTATAAAACGTAGTACTTAAATGACTAGGAGTGGTTCTTGAGACCGATGAGAG 179
BnFAE1          CGGCGGCGCGTGAAGAGACGGAGC-AAGTTATCATTGGTGCGCTAGAAAATCTATTCAAG 419
                    * **  * **  *  * *   ** * *  *   ***       * * * **   **

AtFAE1          A----TGGGAGCAGAACTAAAGATGATGACATAATTAAGAACGAATTTGAAAGGCTCTTA 235
BnFAE1          AACACCAACGTTAACCCTAAAGATATAGGTATACTTGTGG-TGAACTCAAGCATGTTTAA 478
                *           *   ********   *  *** **  *   *** *  *     * * *

AtFAE1          GGTTTGAATCCTATTCGAGAATGTTTTTGTCAAAGATAGTGGCGA-TTTTGAACCAAAGA 294
BnFAE1          ---TCCAACTCCATCGCTCTCCGCGATGGTCGTTAACACTTTCAAGCTCCGAAGCAACGT 535
                   *  **  * **        *   * ***   * * *  * *  *  *** *** *

AtFAE1          AAACATTTAAAAAATCAGTATCC--GGTTAC-GTTCATGCAA-ATAGAAAGTGGTCTAGG 350
BnFAE1          AAGAAGCTTTAACCTTGGTGGCATGGGTTGTAGTGCCGGCGTTATAGCCATTGATCTAGC 595
                **  *  *  **  *  **  *   ****   ** *  **   ****  * ** *****

AtFAE1          ATCTGATTGTAATTTTAGACTTAAAGAGTCTCTTAAGATTCAATCCTGGCTGTGTACAAA 410
BnFAE1          AAAGGACTT--GTTGCATGTCCATAAAAATACGTATGCTCTTGTGGTGAGCACAGAGAAC 653
                *   ** *    **  *     * * *    * ** * *    *  **       * **

AtFAE1          ACTACAAATAATATAT---TTTAGACTATTTGGCCTTAACTAAACTTCCACTCATTATTT 467
BnFAE1          ATCACTTATAACATTTACGCTGGTGATAATAGGTCCATGATGGTTTCAAATTGCTTGTTC 713
                *  **  **** ** *    *     ** * ** *     *    *  * *  ** **

AtFAE1          ACTGAGGTTAGAGA-ATAGACTTGCGAATAAACACATTCCCGAGAAATACTCATGATCCC 526
BnFAE1          CGTGTTGGTGGGGCCGCTATTTTGCTCTCCAACAAG--CCTGGAGATCGTAGACGGTCCA 771
                  **  * * * *         ****     ****    ** *   *       * * ***

                                                          CE3
AtFAE1          ATAATTAGTCAGAGGGTATG--CCAATCAGATCTAAGAACACACATTCCCTCAAATTTTA 584
BnFAE1          AGTACGAGCTAGTTCACACGGTTCGAACGCATACCGGAGCTGACGACAAGTCTTTTCGTT 831
                *  *  **  **     * *   * * *  **    ** *  **      **   *  *

AtFAE1          ATGCACATGTAATCATAGTTTAGCACAATTCAAAAATAATGTAGTATTAAAGACAGAAAT 644
BnFAE1          GCGTGCAACAAGGAGACGATGAGAACGGCAAAATCGGAGTGAGTTTGTCCAAGGACATAA 891
                  *  **   *      * * ** **     **    * **   *  *  *   * * *
```

Figure 8 Continued: Alignment of *B.n.* and *A.t. FAE1* promoters

```
AtFAE1      TTGTAGACTTTTTTTTGGCGTTAAAGGAAGACTAAG------TTTATACGTACATTTTAT 698
BnFAE1      CCGATGTTGCTGGTCGAACGGTTAAGAAAAACATAGCAACGTTGGGTCCGTTGATTCTTC 951
              *  *    *  *    ** * *** ** **  **       *   * ***  *** *

AtFAE1      T-TTAAGTGGAAAACCGAAATTTTCCAT------CGAAATATATGAATTTAGTATATATA 751
BnFAE1      CGTTAAGCGAGAAACTTCTTTTTTTCGTTACCTTCATGGGCAAGAAACTTTTCAAAGATA 1011
              ***** *  ****     **** * *      *       *  ** **   * * ***
                                                G box 2
AtFAE1      TTTCTGCAATGTACTATTTTGCTATTTTGGCAACTTTCAGTGGACTACTACTTTAT-TAC 810
BnFAE1      AAATCAAACATTACTACGTCCCGGATTTCA-AACTTGCTATTGACCATTTTTGTATACAT 1070
                  *   *****  *  *   ***   ***** *  * *** * *  * ***  *

                                                G-box 1
AtFAE1      AATGTGTATGGATGCATGAGTT-TGAGTATACACATGTCTAAATGCATGCTTTGCAAAAC 869
BnFAE1      GCCGGAGGCAGAGCCGTGATTGATGTGCTAGAGAAGAACCTAGCCCTAGCACCGATCGAT 1130
              *       **  * *** *  ** *       *   *  *   *  **   *    *

AtFAE1      GTAACGG-ACCACAAAAGAGGATCCAT------GCAAATACATCTCATAGCTTCCTCCAT 922
BnFAE1      GTAGAGGCATCAAGATCAACGTTACATAGATTTGGAAACACTTCATCTAGCTCAATATGG 1190
            ***  ** * **  *   * * * ***      * *** ** **   *****   *

AtFAE1      TATTTTCCGACACAAACAGA-GCA---------------------------------- 945
BnFAE1      TATGAGTTGGCATACATAGAAGCAAAAGGAAGGATGAAGAAAGGTAATAAAGTTTGGCAG 1250
            ***     * ** * * *** ***

AtFAE1      ------------------------------------------------------------
BnFAE1      ATTGCTTTAGGGTCAGGCTTTAAGTGTAACAGTGCAGTTTGGGTGGCTCTAAACAATGTC 1310

AtFAE1      ------------------------------------------------------------
BnFAE1      AAAGCTTCGACAAATAGTCCTTGGGAACACTGCATCGACAGATACCCGGTCAAAATTGAT 1370

AtFAE1      ------------------------------------------------------------
BnFAE1      TCTGATTCAGGTAAGTCAGAGACTCGTGTCCAAAACGGTCGGTCCTAATAAACGATGTTT 1430

AtFAE1      ------------------------------------------------------------
BnFAE1      GCTCTCTTTCGTTTCTTTTTATTTGTTATAATAATTTGATGGCTACGATGTTTCTCTTGT 1490

AtFAE1      ------------------------------------------------------------
BnFAE1      TTGTTATGAATAAAGAATGCAATGGTGTTCTAGTATTTGATTGTTTTACATGTATGTATC 1550

AtFAE1      ------------------------------------------------
BnFAE1      TCTTATTTACATGAAATTTTTAAACGCCTAAAAAAAAAAAACGGAATTCCG 1600
```

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SELECTIVE MODIFICATION OF PLANT FATTY ACIDS, the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application No._____.

☒ was described and claimed in PCT International Application No. PCT/CA00/00907 filed on 4 August 2000, and as amended under PCT Article 19 on _____ (if applicable).

☐ and was amended on _____(if applicable).

☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § I 19(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
PCT/CA00/00907	W.I.P.O.	4 August 2000	☒	☐
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/147,133	4 August 1999
Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International applications) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/CA00/00907	4 August 2000	pending
(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Smart & Biggar as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the practitioners listed below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
BLYVEIS, Deborah B.	47,337	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
GIRARD, Michael P.	38,467	RINEHART, Kyle B.	47,027
HAENDLER, Jeffrey B.	43,652	RUPERT, Wayne W.	34,420
HARDING, Tanya M.	42,630	RYBAK, Sheree L.	P-47,913
JAKUBEK, Joseph T.	34,190	SCOTTI, Robert F.	39,830
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NOONAN, William D.	30,878	WHINSTON, Arthur L.	19,155
ORR, David E.	44,988	WIGHT, Stephen A.	37,759
KINGWELL, Brian, G.	39,482	WINN, Garth A.	33,220

Address all telephone calls to Tanya M. Harding, Ph.D. at telephone number (503) 226-7391.

Address all correspondence to: Klarquist Sparkman Campbell Leigh & Whinston, LLP
One World Trade Center
121 S.W. Salmon Street, 16th Floor
Portland, Oregon 97204-2988
Fascimile: (503) 228-9446

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or first Inventor: **Ljerka Kunst**

Inventor's Signature Date

Residence: North Vancouver, British Columbia, Canada

Citizenship: Canada

Post Office Address: 2810 Newmarket Drive, North Vancouver, British Columbia, V7R 2T4, Canada

200

Full Name of Second Joint Inventor, if any: **Sabine Clemens**

Sabine Clemens March 23rd 2001

Inventor's Signature Date

Residence: Vancouver, British Columbia, Canada

CAX

Citizenship: Germany

Post Office Address: 4443 West 16th Avenue, Vancouver, British Columbia, V6R 3E7, Canada

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Full Name of Sole or first Inventor: **Ljerka Kunst**

100 Ljerka Kunst — March 23, 2001

Inventor's Signature — Date

Residence: North Vancouver, British Columbia, Canada CAX

Citizenship: Canada

Post Office Address: 2810 Newmarket Drive, North Vancouver, British Columbia, V7R 2T4, Canada

Full Name of Second Joint Inventor, if any: **Sabine Clemens**

Inventor's Signature — Date

Residence: Vancouver, British Columbia, Canada

Citizenship: Germany

Post Office Address: 4443 West 16th Avenue, Vancouver, British Columbia, V6R 3E7, Canada